16.

A

VINDICATION

OF THE

PROCEEDINGS of the CONVENTION

OF THE

Estates in Scotland,

WHEREIN

The Lawfulness and Power of that MEETING is Cleared.

The Original of Government, and the Nature of our Monarchy in particular is enquired into.

Our Laws concerning the Kings absolute Power, and the TEXTS of Scripture for a *Jure-Divino*-Monarchy are Examined.

Our Allegiance to King *James* is Stated, and whatsoever can be urged against the Present Settlement of the Crown resolved.

The unreasonableness of our Present Discontents, and the necessity of an intire Adherence to their Majesties, King *WILLIAM* and Queen *MARY*, against a Popish, Barbarous, and Cruel Army of *Irish* and *French*, is pathetically held forth and Demonstrated.

LISENCED *May* 29. 1689. J. Fraser.

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Vindication of 5 Proceedings of 5 Convention of 5 Estates of Scotland 1609.

A VINDICATION OF THE PROCEEDINGS OF THE Convention of the Estates in *Scotland*, &c.

THE Dethroning a King, and ſetting the Crown upon the Head of a new Soveraign, is certainly a Matter of ſo great weight, of ſuch vaſt importance and concern, that it requires the moſt ſerious and deliberate, the moſt calm and unprejudiced minds to determine it; haſty and undigeſted reſolutions, if in any caſe dangerous, would unqueſtionably in this prove fatal and remedileſs; our Nation has been formerly branded with an opprobrious Epithet of being *wiſe behind hand*, how carefully the Eſtates preſently convened have guarded againſt ſuch reproachful calumnies, their wiſe and prudent proceedings will clearly manifeſt to every impartial and unbiaſſed enquirer.

'Tis true, it were next to a Miracle to find all men contented upon ſo ſudden and extraordinary a change of affairs, for there being not only a miſguided party amongſt us, who under the pretext of Conſcience (which without due and ſufficient information proves a dangerous guide) diſturbs the preſent Settlement with their groundleſs Jealouſies and diſcontents, but alſo a dangerous Faction, who having their ſcandalous Eaſe abridged, and their ſelfiſh Intereſt concerned, rage and fret, and wickedly malign all healing methods that are contrary to their malicious Deſigns, it is not poſſible to prevent their unreaſonable clamours againſt the moſt harmleſs and peaceable proceedings; ill natured men take pleaſure to live in the fire of contention, and will not be at the pains to conſider things with a ſteady and unprejudiced mind; and it is a very hard and difficult, as well as unpleaſant task to ſearch for all their boſom reaſons, or examine the private whiſpers, and Coffee-houſe Tales of a diſcontented party, it ſhall therefore ſatisfie me to conſider the moſt material objections that may be propoſed againſt the Convention and their Proceedings.

The firſt thing lyable to quarrel is the meeting it ſelf, which we muſt briefly vindicate before we can examine their Proceedings; for unleſs we can

can make it appear that it was lawful for the Estates to meet, and had power to order the present Settlement, all their after proceedings are void and null.

That this was in lawful Meeting seems to be made evident *not only by several Acts of Parliament, forbidding all Conventions, Meetings, and Assemblies, without the Kings command, or express license, as* Act. 31. Parl. 8 Jac. 6. *and* Act. 4. Sess. 1. Parl. 1. Car. II. *But also because by a Solemn Oath called the Test, all persons in publick trust did swear, That it was unlawful for Subjects upon any pretence whatsoever to convocate, convene, or assemble in any Councils, Conventions, or Assemblies, to treat, consult, or determine in any matter of State, Civil or Ecclesiastick, without his Majesties special command, or express license had thereto: Nor can it vindicate the present Convention, that it was call'd by the Prince of* Orange, *because the Noblemen and Gentlemen who desired the Prince of* Orange *to take the administration of Affairs, and issue out Writs, acted only in a private capacity, and consequently illegally and unwarrantably.*

I confess this is a very considerable Plea, and seems at first view to carry in it no small weight, I shall therefore endeavour to make it evident beyond contradiction, *That there was an absolute necessity of such a Convention, and that all Laws and Oaths which forbid such unavoidable Assemblies are rash and unlawful.*

It is well known in what disorder the Kingdom was upon the report of King *James*'s withdrawing and leaving *England*, and there being no probability of having matters settled by the Kings Council, there being so few to meet, or willing to meddle with publick affairs in such a general Consternation, the necessity we were reduced to, made the Noblemen and Gentlemen then at *London* apply themselves to the Prince of *Orange*, *That he might take upon him the Administration of Affairs, and issue out his Writs for a Convention*; this was judged the only safe and proper method could be taken to prevent the threatning disorders and confusions of the Kingdom, which was not, I assure you, the hasty resolution of a discontented party, but the deliberated advice of the best Lawyers, and surest Friends the late King had.

There not being then the least probability of keeping the Nation from ruin in such a confused condition, without calling such a Convention, it seems unreasonable to urge former Laws and Oaths against absolute necessary and unavoidable meetings; such Laws ought to be repeal'd if they be not (as I apprehend they are) void and null in themselves, and men should seriously repent who stain'd their Consciences by such unlawful Oaths; for it is certain beyond debate, no man can be obliged to what is impossible.

When men shall prove that a Nation can subsist without Government, and that Peace and Order can be expected when every man does what seems good in his own eyes, then let them condemn those Conventions which unavoidable necessity, against which there can be no Law, so warrantably allows.

There has been so much already writ against that unlawful and contradictory Oath called the *Test*, that I shall not be at the pains to consider it, referring you to that Book intituled, *The Case of the Earl of* Argyle, where you

you will see that scandalous Oath (for explaining of which, in order only to satisfie his own Conscience when he took it, that Noble Earl suffered the loss of his Life and Estate) sufficiently exposed to the contempt of the world.

As for those Laws that discharge *Subjects from meeting and consulting without the Kings express command or allowance*, the very Acts suppose that Subjects have a King to order and appoint such meetings, but in the present case the King had deserted his people without giving them the least intimation what methods they should take, *and there being no hopes of any commission from him to settle a confused and disordered Nation*, they were necessitated to meet and consult without waiting and attending his command or license. Nay, suppose King *James* had been called back, he could not in conscience question the lawfulness of the Meeting; for how could Subjects have advanced his Interest without meeting to consult upon fit measures? I only instance this to shew the necessity of such a Convention in absolutely necessary and urgent cases.

But besides, King *James* did assume the Government *contrary to Law, and intirely destroyed the Constitution of the Kingdom*, as shall afterwards be made appear; and the Nation not being able to ease it self of those Grievances it groaned under, the people were forced quietly to suffer and endure what they could not remedy, until the Illustrious Prince of *Orange sent from Heaven to relieve the oppressed*, procured us a deliverance from those miseries, and having at the desire of the Noblemen and Gentlemen, then at *London*, issued out Writs for the present Convention (without which we had had no orderly Meeting) the Nation was then put in a condition to ease themselves of a King who had assumed the Government, and begun to destroy their Religion, Laws, and Liberties: So that the late King having no just Soveraignty the people could not be his Subjects, and these Laws only obliging Subjects, they could lay no bond upon them not to meet.

Thus, I hope, the lawfulness of the present Convention is sufficiently clearly, but yet to give men some further satisfaction, I shall instance two or three other cases, which will contribute to make it evident, That there is a necessity of such Meetings and Assemblies: 1. *What if the King were a child, and unfit for Government?* 2. *What if he became furious and Lunatick?* as lately in *Portugal*. 3. *What if he became an absolute Tyrant*, which differs not much from the former? 4. *What if he should publickly resign the Government?* Or, 5. *Alienate the Kingdom, or desert and abdicate it.* And lastly, *What if the Royal Line should be extinct.* These are all cases which have frequently fallen out; and must Subjects in these circumstances sit still and suffer the Kingdom to ruin it self with disorders and confusions? All these seem to be plain and obvious cases, in which it is absolutely necessary for the Estates of the Kingdom to meet and consult how to settle the Government; and

prevent otherwiſe unavoidable ruin; when men ſhall ſhew me how the ſafety and peace of a Nation can be ſecured in ſuch caſes, without ſuch a Convention, then I ſhall forbear to quarrel with them for condemning the preſent Meeting. But ſince it is evident ſuch caſes may occur, it ſeems to be unreaſonable *to make Laws, or impoſe Oaths to hinder unavoidable Conventions.*

But for a further removing of all Scruples that may ariſe concerning the lawfulneſs of ſuch Conventions, it would be conſidered that they derive not their power from Laws (except of neceſſity) and cannot be diſcharged or forbidden by Parliamentary Acts, they being antecedent to, and not capable of being reſtricted or conſidered by them. Such Conventions repreſent that firſt Meeting which contracted with our firſt King, and conſequently muſt ſtill retain that power to meet and conſult whether their King has violated and deſtroyed that Contract that he made with them; when men ſhall either convince me, or force themſelves to believe there were ever a Nation under Heaven ſo mad or fond of ſlavery, *as to give up themſelves freely, and without conſtraint to be abſolutely ruled by one man, and to obey whatſoever he ſhall command*; then ſhall I believe the preſent Convention can plead no right in that original Contract which all thinking men acknowledge. I confeſs ſome people by force have become ſlaves, but it is impoſſible without a continued force to keep a whole Nation in ſuch a brutiſh obedience, and far more unreaſonable to apprehend they did freely ſubmit to their firſt King, and obliged themſelves and their Poſterity to obey him and his Succeſſors, without any promiſe or engagement on his part; let all Ages be conſulted, and it will appear evident and unqueſtionable that there was never an oppreſſed people but ſo ſoon as ever put in favourable circumſtances, and in a capacity to eaſe and relieve themſelves, but they embraced the opportunity, and chearfully met and combined to ſhake off that ſlavery which is repugnant to their original Contract of being protected and governed according to equity and legal eſtabliſhments.

Having thus far cleared the lawfulneſs of the preſent Convention, I come in the next place to conſider their power, and here firſt I apprehend it will be eaſily granted, *That ſince the threatning and inevitable diſorders did require ſuch a Convention, that it is in the power of this Meeting to conſult on fit meaſures to prevent ſuch diſorders*; and there being nothing that gave riſe to theſe, but the *encroachments and violations made on the legal Conſtitutions, and the juſt fears of Popery and Slavery*, it is reaſonable in the ſecond place to acknowledg that the preſent Convention might warrantably examine what encroachments have been made upon the Government, and condeſcend upon juſt methods for freeing the Nation of them, as juſt fears of Popery and Arbitrary power, and ſecuring the Nation from any ſuch future inconveniencies and preſſures they preſently groaned under. But 3*ly*. Whatever *power* that Convention had which made choice of our firſt King, and entred into a Contract with

with him, this preſent Meeting retains that ſame *intrinſick power*: and as our Anceſtors had power to limit a King of their own chooſing, and to give him the Crown upon certain terms and conditions, ſo the meeting hath power to conſider whether King *James* (of the ſame Race) hath violated and invaded the fundamental Conſtitutions of the Kingdom, and accordingly declare his retaining or loſing the right of the Crown; and altho it is confeſſed that after our Predeceſſors entred in that Contract, *they became ſubjects*, yet it is as certain they became only *ſubjects upon certain terms and conditions*, which being violated and broken, their ſubjection ceaſes; And tho every private perſon is not a Judg in this caſe, yet thoſe who entred into that Contract, and their Repreſentatives, muſt be Judges, and the preſent Convention being the true Repreſentatives of thoſe who contracted with our firſt King, they have power to determine how far the fundamental Conſtitutions of the Kingdom have been invaded of late. 4*ly.* As the preſent Convention have power to conſider what violations have been made upon the legal Conſtitution by the late King and his Miniſters, ſo upon their declaring the Throne vacant, *they have power to ſettle the Government*, for the ſafety and good of the Nation, and to conſider upon fit Preliminaries, that what is a juſt Grievance may be removed, and the Crown ſettled upon ſuch Conditions that we may not be in hazard of being hurried again into our former miſeries; but becauſe theſe and other particulars, I might here inlarge upon, will neceſſarily fall in to be conſidered, when I come to anſwer Objections, I ſhall ſupercede them at preſent, and now proceed to vindicate the paſt Reſolutions of the preſent Convention.

The firſt thing to be conſider'd, are their reaſons for declaring the Throne vacant; And here we muſt obſerve that the Convention did not haſtily and inconſiderately proceed againſt K. *James*, but deliberately conſidered the ſeveral Inſtances of his maleverſation, and the Encroachments and Violations he made upon the Conſtitutions not only by his acting contrary to Law, but deſtroying the Law it ſelf, and the ſeveral reaſons were again and again read and argued one by one, ſo that the whole Convention, except ſome Biſhops, and four or five others, were ſatisfied in every Article, before the Vacancy of the Throne was determined. I take notice of this, becauſe this National procedure is challenged by a late Author in a Pamphlet Intituled, *Salus populi*, &c. *As not ſo becoming the reſpect due to the Soveraign Majeſty, nor the National kindneſs to the ancient Race and Line*, to uſe ſuch direct and extraordinary accuſations. One would think a Throne ſhould not be declared vacant without ſome reaſon, and the greater the Violations have been, the ſtronger are the reaſons for declaring ſuch a Vacancy. And how could the Convention either ſatisfie themſelves or the world if they give no reaſon for Dethroning King *James*? No thinking man will readily challenge them for want of reſpect or kindneſs, if the reaſons they have given, warrant the thing it ſelf, ſure it had argued leſs

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reſpect and kindneſs to have declared the Throne vacant without giving any reaſon, or to alledge only with the Author, his deſerting the Kingdom, to be a ſufficient reaſon; for I know few rational men will be ſatisfied with that. And it is a general miſtake to think the Convention in *England* did declare the Throne vacant upon that account; and the Author acknowledges it was the method of *England*, firſt to take notice of the Kings maleverſations; they judged that the King deſerted, abdicated, or renounced the Government before his leaving the Kingdom by *aſſuming an Arbitrary and Deſpotick power*, deſtroying the very Conſtitution of their Government; but no man of ſenſe, but the Author, ever thought that a Kings leaving the Kingdom is a ſufficient ground for rejecting him, for at this rate the beſt of Kings, through the power of a prevailing faction might forfeit his right to the Crown; if there had been any ground for ſuch a plea the enemies of King *Charles* the II. had certainly made uſe of it, but paſſing this unreaſonable tenderneſs of the Authors, which can have no place here, I come to conſider the Reaſons for declaring the Throne vacant.

The firſt is, King *James* the Seventh, being a profeſſed Papiſt, did *aſſume the Regal Power*, and acted as King, *without ever taking the Oath required by Law*, whereby every King at his acceſs to the Government is obliged to ſwear to maintain the Proteſtant Religion, and to rule the people according to the laudable Laws. This reaſon has two branches which muſt be diſtinctly conſidered, firſt *the Kings aſſuming the Regal Power, being a profeſſed Papiſt*: 2ly, *His acting as King without taking the Oath*, which our Law requires all Kings ſhould take at their acceſs to the Government. Both theſe are joined in one reaſon, becauſe both are comprehended in the ſame Act of Parliament; a part of which Act I ſhall ſet down here for a further clearing of the whole affair:

Becauſe that the increaſe of Vertue and ſuppreſſing of Idolatry craves that the Prince and the People be of one perfect Religion, which of Gods mercy is now publickly profeſſed within this Realm, therefore it is ſtatute and ordained by our Soveraign Lord, my Lord Regent, and the three Eſtates of this preſent Parliament, that all Kings and Princes, or Magiſtrates whatſoever holding their place quhilk, hereafter in any time, ſhall happen to reign and bear rule over this Realm at the time of their Coronation and receipt of their Princely authority make their faithful promiſe by Oath in preſence of the Eternal God, that during the whole courſe of their lives they ſhall ſerve the ſamein Eternal God, to the uttermoſt of their power, according as he has required in his moſt Holy Word revealed and contained in the New and Old Teſtaments, and according to the ſame in word ſhall maintain the true Religion of

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Christ Jesus, the Preaching of his Holy Word, and due and right Ministration of the Sacraments now received and preached within this Realm, and shall abolish and gainstand all false Religion contrary to the samein, and shall rule the people committed to their charge according to the will and command of God revealed in his foresaid Word, and according to the laudable Laws and Constitutions received in this Realm, no wise repugnant to the said Word of the Eternal God; and shall procure to the utmost of their power to the Kirk of God, and haill Christian people true and perfect peace in all time coming. The rights and rents, with all just Priviledges of the Crown of Scotland, **to preserve and keep inviolated: Neither shall they transfer nor alienate the samein. They shall forbid and repress in all Estates and degrees reife, oppression, and all kind of wrong. In all Judgments they shall command and procure that justice and equity be keeped to all Creatures without exception, as the Lord and Father of all mercies be merciful to them. And out of their Lands and Empire they shall be careful to root out all Hereticks and Enemies to the true Worship of God that shall be convict be the true Kirk of God of the foresaid Crimes, and that they shall faithfully affirm the things above written be their solemn Oath.** Act. J.6. p.1. c.8. Anno 1567.

Against this first reason there are two things objected: 1. *It is unreasonable, and would be of dangerous consequence to Protestant Princes abroad to maintain that a King loses his just title to the Crown, if he be of a different Religion from his Subjects*; and does not the *Westminster* Confession of faith plainly declare, *That infidelity or difference in Religion does not make void of the Magistrates just and lawful Title?* 2. *King* James *his not taking the Coronation Oath can be no more a crime in him than it was in King* Charles *the First, who exercised the Government almost eight years before he was Crowned*; no body ever being so foolish as to dream that *the Crowning a King, or Coronation Oath made him a King*; *these being meerly more solemn declarations and tyes, but give no right*; *besides, this Act of Parliament was made in King* James *the Sixths Minority, and before he was King of* England, *since which time it was not possible instantly to Crown the King upon his access to the Government*; *and it is strange if this was thought so material, why the Representatives of the Nation met in Parliament did not represent this to King* James.

In Answer to both these Objections, I humbly offer these few things to be considered:

1. Government is not a matter of *Property* but of *Trust* given upon certain terms and conditions; the King is not to observe his own methods, and to rule as he pleaseth, he is obliged to rule by Law; and our Law enjoyning the King to be of the Protestant Religion, cer-

tainly the late King *James* assumed the Government contrary to Law, and tho that Law was made in the Minority of King *James* the Sixth, yet since it has continued unrepealed to this day, and confirmed by all subsequent Parliaments, it is ignorance and folly to carp at it, or deny it to be in force. Altho then a Papist does not lose his *Property* because he is a Papist (altho many Protestants in *France* had their Properties and Estates taken from them, contrary to all equity and justice, meerly because they could not in conscience turn Papists) yet a King, being obliged to rule his Subjects according to the *Fundamental Contract*, and the particular Laws of the Kingdom, and to accept of the Government *upon certain Conditions*, it is undeniable, if he be not qualified according to the Laws, he is not in a capacity to rule. If the Papists of *France* could have produced any Law for excluding a Protestant from the Government no man had condemned them, for rising in Arms against *Henry* the Fourth; but tho they had no such Law, yet we know he could not peaceably enjoy the Crown till he changed his Religion.

As for Protestant Princes abroad, either their Subjects are mostly of their own Religion, as in *Sweden* and *Denmark*, or else they hold their Dominions by *Property*, which difference in Religion cannot reach, and there being no Law excluding either from the Government, this Plea can sound no sad alarm to Protestant Princes abroad.

2. As for the *Westminster* Confession of Faith, it does not in the least oppose the present reason, for not to urge the qualifications of a just and legal title which that Confession says difference in Religion makes not void; it is certain, the Authors of that Confession had in their prospect the Thirteen of the *Romans*, as the Note in the Margent demonstrates, and the meaning of that Text and theirs must be the same, to wit, that Christians living under Infidel Magistrates, which was the case of Primitive Christians, should neither nicely examine the title of their Emperours, nor say their Authority was null, they were to submit; and not to question their power, as the *Gnosticks* did. Where Civil Government is established, and the Magistrate an Infidel, subjects being Christians, who live under the protection of the Government, must not think the Magistrates just and legal title is void; for the Gospel doth not alter the Laws of a State. Christians who live under the *Grand Signior* ought not in reason to question his Title and Authority; and Protestants who live under Popish Princes must acknowledg their just and legal power; but our case is vastly different from theirs, for our Laws require our Kings to be of the same Religion with the Subjects; so that we cannot be accused of any injustice, if we refuse either an Infidel, or a Prince of a different Religion, (whose Faith obliges him to esteem and treat us as Hereticks), from being our King, or reject him if he assume the Government without being legally capacitated.

3*ly*.

3*ly.* Though we do not say that either the King's Coronation, or the Oath our Law requires every King to take at his access to the Government makes him King, yet since they are a solemn and customary confirmation, not only of the *Fundamental Contract*, but of those *subsequent Pactions* and Agreements contained in the Acts of several Parliaments, and it being expressly required by our Law, *That every King at his access to the Government take that Coronation Oath*, it is manifestly *a violation of the Law to assume the Government without taking that Oath*; and though our Kings since they came to the Crown of *England*, could not instantly upon their access to the Government be Crowned, yet nothing needed hinder them from taking the Oath required by Law before they enter upon the exercise of the Government; and though this may be sometimes passed over without a challenge from the Representatives of the people, yet still it creates just fears and jealousies, and when it is attended with other manifest violations of and encroachments on the legal Constitution, no thinking man can blame those who are now lawfully met, if amongst other reasons this be named *as a violation of their Laws.*

4*ly.* Although it is evident we had never been a whit the securer, though King *James* had taken that Oath, since it is well known how little he regarded his Coronation Oath in *England*, yet since he did not accept of the Government as our Laws require, nay could not, *while he continued a Papist*, take that Coronation Oath, his assuming the Regal power, and acting as King was a *manifest violation of our Law*, and constructively a renouncing of the Government, for it was an evident argument he was not resolved to accept of the Government upon those terms and conditions our Law requires, without which he had no right to rule.

The second Reason for declaring the Throne vacant runs thus: *By the advice of evil and wicked Counsellors, he did invade the Fundamental Constitution of this Kingdom, and altered it from a legal, limited Monarchy, to an Arbitrary, Despotick power, and hath exercised the same to the subversion of the Protestant Religion, and the violation of the Laws and Liberties of the Nation, inverting all the ends of Government, &c.*

Now this being the very foundation of all the subsequent reasons which are only several instances of the violation of our Laws and Liberties, and a sufficient reason for declaring the Throne vacant, suppose he had neither been a Papist, nor refused the Oath our Law requires he should take before his entrance in the Government. I shall therefore consider it more particularly in returning an answer to the several Objections that may be made against it.

First

First, is it objected, *That it seems strange to charge it as a fault on the King, that he was absolute since in the Parliament holden in the year* 1685. *the King was declared an absolute Monarch to be obeyed without reserve, and whatever is done in Parliament is always constructed to be the Act of the whole Nation, and cannot be reputed an Act of the King's, or any ground for the Subject to repudiate and reject him; for since by Law King* James *was made an absolute Monarch, he might by Law do all those things which the present Convention libell against him, as Violations of the Government, since your Law made him absolute, you must blame your Law, and the Representatives of the people, and not your Prince who was impowered by Law to do what he pleased.*

This Argument, by a careless and unthinking Reader, may seem to carry with it much force and weight, but the more observing and wary will easily discover its weakness, I shall for this effect instance these following Considerations:

1. *The Fundamental and Original Contract*, whereby the King was obliged to protect, and the people to obey; *and the very End of Government, viz.* the safety of the people *cannot be destroyed by any subsequent accidental Act or Law*; but the declaring a King to be an absolute Monarch destroyes the very nature of that Primitive Contract, and tyes the people to obey without any obligation on the Prince to protect; but of this I shall discourse fully in answering the next Objection.

2. Although by an Act of Parliament the late King was declared to be an absolute Monarch, yet since all former Laws unrepealed stood in force, in so far as he acted contrary to those Laws he violated the Constitution of the Kingdom, and acted by an *Arbitrary, Despotick power*, for either it must be acknowledged that the Act of Parliament declaring him an absolute Monarch, gave him power to raise and annull all former Laws, *so that we have no rule to measure our obedience, but the King's pleasure*, nor no standing Law, but the Act commanding obedience without reserve, or else that former Law, notwithstanding of that Act are still in being, and retain their force, *Which the King cannot dispense with, nor act contrary to without a manifest Invasion, and alteration of our legal limited Government.* And this last Branch of the Alternative must of necessity be allowed; though I confess it makes that Act concerning an absolute Monarch to be the *most unaccountable piece of Law that was ever published*; for the continuing all former Laws makes the absolute Monarch still a limited one, and what sense there is in one absolute limited Monarchy, I shall leave it to the late Kings Advocate who could draw Treason from the most innocent expressions, to find it out by the force of his fancy, but I say former Laws are still in force,

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elſe what needed all the pains to call Parliaments for repealing Penal Laws againſt Papiſts, I apprehend few of them were ſo fooliſh as to think the Kings being an *abſolute Monarchy*, and by vertue of this power *his diſpenſing with former Laws*, was a ſufficient ſecurity to keep them from the penalty contained in thoſe ſtanding unrepealed Laws againſt Papiſts upon the acceſſion of a Proteſtant Prince to the Government, this Law then of the Kings being an abſolute Prince, is ſo inconſiſtent with the ſtanding of all former Laws, that theſe are *ipſo facto* void and null if this be admitted, and if theſe be ſtill in force, as certainly they muſt, till they be repealed by that ſame power that made them, then this Law muſt be looked upon to be *void and null*, and can never warrant the King to diſpenſe with theſe former Laws.

But thirdly, Granting this Law of making the King an abſolute Monarch, be taken in its full extent and latitude, yet ſtill it is of no force to vindicate the King's deſtroying of our Laws, and the Conſtitution of the Kingdom for the giving ſuch power to the King was more than any Parliament could do, and conſequently ſuch an Act was null and void, and no more warrantable or valid than a mans beſtowing and giving away what belongs to another, of which he has no power nor right to diſpoſe; the Parliament might as well have reſigned the whole Parliamentary power, and all the peoples Rights and Properties, and yet no wiſe man would have thought it was in their power to beſtow ſuch liberal Gifts on their Prince; it was never the deſign of the people who did choſe their Repreſentatives *to be made ſlaves by a publick Law*, or to have their *legal limited Government changed into an abſolute Monarchy*; the doing of this was a clear betraying of that truſt the people repoſed in them.

But further, it would be conſidered, that the very deſign and end of Parliaments is *to make Laws for the peaceable and orderly governing of the Nation conform to the Original and Fundamental Contract*. But to make our King abſolute is ſo far contrary to the ſafety of the people, and the deſign of Parliaments, that it cannot ſo much as fall under the cognizance and power of ſuch a Meeting.

Laſtly, We muſt conſider that the moſt part, if not all the Members of that Parliament were afraid of being impeached for converſe with Rebels, and therefore they were willing to paſs any Act that their lives and fortunes might be ſecured, they did not generouſly prefer the publick good to their private Intereſts. And indeed if we take notice of the methods that were made uſe of to deſtroy Free Parliaments, the many Penſions beſtowed on many of the moſt eminent Members; Scandalous Oaths eſtabliſhed for hindring Free Elections, and ſuch manifeſt corruptions of the Election of Members to ſerve therein, both in Shires and Burroughs, we muſt conclude

that ſuch a packt Parliament deſerves not the name of a Parliament. And that this Act, declaring the King to be an abſolute Monarch, is ſo much the more a Grievance in that it is eſtabliſhed by Law,

But beſides thoſe Conſiderations which I have deſignedly mentioned to prove, that the Act of Parliament declaring the King to be an Abſolute Monarch, and to be obeyed without reſerve, is null and void: I might add a great many other Reaſons to ſhew, That the very nature of this Law deſtroys the end of Government, and could not fail to be fatal both to the King and People, it laying a Foundation for Tyranny and Slavery. It is well known, that the Kings great deſign in promoting this Act, was *to introduce Popery*, and the *more ſecurely to ſubvert all former Laws*, which cannot ſubſiſt if this one Law be in force, and I ſhall leave it to every mans ſober thoughts, *Whether ſuch an unjuſt Law, which deſtroyes the legal and limited Conſtitution of the Government can be of any force to bind the Subjects*; for if Tyranny and abſolute power may not be reſiſted, there is an end of our Government; but as I ſaid already, That the Parliament had no power to grant a Law whereby the King might overthrow the Government, *So the King cannot by Law accept of ſuch an unlimited Power*; and it is evident, that in promoting and paſſing this Act, he never deſigned to take that Oath our Law requires, for it is altogether inconſiſtant with it; ſo that King *James* having aſſumed the Government, and acted as King contrary to Law, this Parliament was no legal Parliament, and this Act is no Law binding the Subjects.

But the greateſt duſt is raiſed by our Divines, who alledge, *That Monarchy is* Jure Divino, *and that Kings hold their Crowns immediately from God Almighty alone; that it is by him that Kings Reign; that the Higher Powers are ordained by God, and are only accountable to him, and therefore cannot be deveſted of that right by the People.*

I ſhould have paſſed by this Objection, it being ſo common, and ſo fully anſwered, both formerly and of late, by ſo many able pens, but it being urged in the Convention with ſo much vehemency by one of that Venerable Order, and the People being poyſoned with falſe notions about Government, nothing having more contributed to enſlave the Nation, and debauch Mens Conſciences, than the Preaching up the Doctrine of *Abſolute Power* and *Non-reſiſtance*. I ſhall therefore briefly conſider the Original and Foundation of Government, and enquire whether there be any ground from Scripture for aſſerting a *Jure Divino* Monarchy.

There is no doubt if Man had continued in that innocent State which his Maker at firſt ſtated him in, there had been no debates about

about the Power of Princes, nor Priviledges of the People; Laws not being [illegible] made for the Righteous, nor Government of uſe, but for preventing of injuries, and redreſſing wrongs, although even in that pure eſtate there had been a decent Order obſerved as in the Angelical Nature. But man having fallen from that Primitive, pure and peaceable State, and corrupt Nature ſtanding in need of Government, God Almighty, the Great Monarch and Soveraign of the Univerſe, who is not the Author of Confuſion, but of Order, Inſtituted and Ordained Government for the encouraging of Vertue, and puniſhing of Vice, and Mankind finding their Laws uneaſie, and it being impoſſible to prevent Violence, and Injuſtice, after Families began to multiply, without entring into Societies, it was therefore the common intereſt of Mankind to enter into Contracts and Agreements, for freeing themſelves from a State of Force. I intend no tedious Diſcourſe on this Subject, and therefore I paſs by the Patriarchal Government of the Fathers of Families, which for a ſhort Seaſon after the Creation, and the Flood might have kept ſome order and peace amongſt men; but after Families began to multiply, that Government, meerly founded on natural affection, could not long ſubſiſt, if we but give liberty to our thoughts to conſider the juſtlings that ariſe from intereſt or ambition even betwixt deareſt Relations, it is not then worth the pains to enquire how long this paternal power continued, nor will my preſent deſign allow me to ſearch narrowly into the Original of Government, only by the by I ſhall for clearing of this, a little lay down the following Poſitions.

First, *There was an abſolute neceſſity for particular Families, after they began to multiply, to enter into Societies, and to unite themſelves into a politick Body*, without the acknowledging of this it is utterly impoſſible to conceive how violence and injuſtice could have been prevented; for while every man was Judge of his own right, there could be no redreſſing of mutual Wrongs and Injuries, no end of Violence and Strife; we have an early inſtance in *Adams* Family of the Corruption of Humane Nature, where we find God as Judge challenging *Cain* for Murthering his Brother, and inflicting a puniſhment upon him, which is an evidence how little the Paternal Power and Authority was regarded, and if we ſearch more narrowly into the ſacred account of Government in the Infancy of the World; we ſhall find that before the Flood the Earth was filled with Violence, becauſe as it would appear, this Patriarchal Power did not puniſh Injuries, nor could reach Capital Offenders, they having no power over other Mens Lives, without entring into a Society wherein Men for ſecuring their own Lives, preceded of their own Right, and condeſcended upon Laws for puniſhing of Offences, and this leads me in the ſecond place to conſider, *That*

That after Families had entered into Society, and agreed to unite amongst themselves, either for preventing mutual injuries, or resisting a force which would have ruined, and destroyed them in seperate and disunited Families: *There was a necessity of some Government, without which the Society could not subsist*; *for as* long as every Man is Judge, and may do what he pleases; what Peace can there be in a Society? But as to the species of publick Government, and how it was at first settled in every Nation, This behoved intirely to depend upon those who entered into that Society, and therefore I lay down this third Position,

That Government could not be settled without consent and agreement: It is impossible to conceive how Societies could submit, either to one Man, or to a few of their Number without their own consent at first, or how one Man could take upon him to be a Ruler, and Judge over the whole Society without their choice and appointment, unless he kept that Power by a continual force, which is contrary to the first Position. The Species of Government, whether by one or more depended not first on the choice and deliberate advice of the Society, for tho' I apprehend it was the *Merit* of the *Person* that first enclined the people to *elect*, and *prefer* one before the rest, to go out with their Armies, and keep the Society in order, and that they did not annex the Government to a particular Family and Race of Men, till afterwards they were sensible of the inconveniencies of an Elective Monarchy; and the other kinds of Government had no Place, till Tyranny made Monarchy hateful: Yet still it is certain, that the people made their *Kings*, and that they were *Elective*, or *Hereditary* as the people thought convenient; for unless we say that Kings were immediately designed and appointed by God Almighty to Rule the people, and that the people knew their Commission, or that God created Prince and people in the beginning, We must acknowledge that it is the peoples Choice and Consent that makes a King; Nay, I shall make it afterwards evident, *that without the peoples Consent there is no King*; but because there can be no Government without Laws, and that people who consulted the publick good and their own safety, would never have condescended to make Choice of a Governour to Rule at his Pleasure: It is certain in the Fourth place,

That Government could not be settled without Contract and agreement; and that those mutual Obligations of a King to protect, and people to obey, are necessarily included in the Nature of Government; for otherwise I desire to know for what end do the people give their *Allegiance*, if not to be Protected from *Violence*: It is so repugnant to a Mans reason to think that a whole Society of wise and thinking Men, would freely give up themselves to be Ruled by one Mans Will that as long as Men are Men, they cannot readily believe it; for suppose such Pactions had not been expresst

preſt they might be underſtood, unleſs we ſuppoſe Men entred into Society, and ſubſtituted Government, to make themſelves ten times more miſerable than they were. It is indeed ſtrange that any Man ſhould doubt of ſo clear a Truth, without the ſuppoſition of which it is not poſſible to conceive how Government could have been eſtabliſhed, or continued. It is this Mutual Contract that laid the Foundation of the Government, and gave firſt being to this civil Relation of King and Subject: for without this voluntary Conſent and Contract there may be a Tyrant, but no Regal Government. Was there ever a Society of Men that ſubmitted themſelves to a King whom they did voluntarily chooſe, upon any other Deſign than to ſecure their Lives and Fortunes from the Violence and Injuries they feared before?

I have been obliged to inſiſt a little upon this, becauſe I had occaſion frequently to make mention of this *Original* and *Fundamental Contract* betwixt King and People: So that we need not ſearch our Records for finding it out, for the very nature of Government implies the neceſſity of it; and more particularly, if we ſearch into the Original of our Monarchy, we ſhall from thoſe dark and obſcure Hiſtorical Accounts we have, find that *Fergus*, who was the firſt inveſted with the *Royal Dignity*, was choſen and ſet up by the People, and after his Death they gave ſuch an evident Inſtance of their Power, that finding the Inconvenience of an immediate Lineal Succeſſion when a Child, they made a Law, *That the next of that Race, fitteſt to govern, ſhould ſucceed to the Government only during his Life, and then to return to the Lineal Succeſſor.* It were tedious to give an account of the Oppoſition our Kings met with from the People, when they began to tyrannize and oppreſs them: All which are ſufficient Evidences that our Monarchy, from its very Source, was *Limited* and *Legal*, and not *Abſolute* and *Arbitrary*, the *Legiſlative Power* being divided between the *King* and *Repreſentatives of the People*; and both being bound to other by mutual Oaths: And the King being obliged to rule by Law, what greater Proofs can we deſire for confirming this Original Contract?

It is then the Conſent of the People that gave being to all kinds of lawful Government, without which Conqueſt could give no juſt Title; and thoſe Kings who in Scripture were choſen by God himſelf, yet were made Kings by conſent of the People. As for Abſolute Monarchy, it can never ſubſiſt but by Force, can be approved by none but Court-Paraſites and Flatterers, is contrary to the end of all Governments, in turning Subjects unto Slaves; and therefore being unlawful, may be juſtly oppoſed and rejected.

I come now to conſider the Argument of our Divines, who plead for a *Jure-Divino*-Monarchy, and that *Kings hold their Crowns immediately from God Almighty alone; that their Power is therefore unlimited and abſolute, and are not accountable to the People, who are to obey and ſubmit, and not to diſpute his Commands, or in any caſe to reſiſt him.* This Doctrine, in this laſt Age, has been ſo importunately obtruded upon People both from the Pulpit and Preſs, that the moſt part believed it to be a Truth, without ever examining it: Men who have ſuck'd in Principles with their Milk, will hardly be prevailed upon to diſcard them. *Prepoſſeſſion* and *Prejudice* are Giant-

like Difficulties, and almost require a Miracle to overcome them; and if it were not that the present great and miraculous Revolution had contributed to dispel those Mists that blinded so many, and given Courage to the more Ingenuous to *assert* and *vindicate the Truth*, we had been taught into Slavery, and needed no Statute to establish *Absolute Power* in the *Prince*, or *Slavish Submission* in the *Subject*. But God be thanked, that only *Church* in the World which *preach'd up* this Doctrine, is now begun to *decry it*, and *pluck it down* as fast as ever they built it up. Our first Reformers, and the generality of all Protestant and Popish Writers, were utterly unacquainted with this Doctrine, which can never relish well with Free-born Subjects, nor have any other use than to encourage Kings to be Tyrants, and to render them *odious*, and their *People miserable*. And how sad and fatal Consequences necessarily attend *Tyranny*, and the *visible Designs* of *Arbitrary Power*, all Ages can attest. It is a wonder how Men, not fond of Slavery, should have maintained such *Maxims* so *pernicious to Society*: for if this Doctrine had always obtained, and proselyted all Men to its Belief, we had been a miserable Nation and Church long 'ere this Time, and had groaned under that *Tyranny* and *Oppression* the *French* Nation lies under. At this rate the King needed no Army to ruin us, he alone with a few Rascally Slaves, might have robb'd us of our Lives and Fortunes. But since a *Divine Right* is pretended, it were to be wished the Promoters of this Doctrine, would produce that Divine Grant, or tell us where we might find it; for that would put an end to the Controversy among good Men. I have searched the Scriptures for it, but can find no such Doctrine taught there: I indeed learn from thence, that God has appointed Government for *encouraging Vertue, and punishing Vice*; but can see no Law or Command there, appointing *Absolute Monarchy* to be the only Government; for then all other kinds of Government would be unlawful, and it would be sinful to live in *Germany*, *Poland*, *Holland*, *&c.* Far less do we read that Persons invested with this Royal Dignity have the Crown intailed on them, and their next immediate Heirs, *by a Grant from Heaven, which cannot be reversed*: If God Almighty has immediately conferred this Right on Kings, and setled the Sovereignty on them and their Family; let such a *Grant*, such an *Institution* and *Command* be *produced*, and whatever Inconveniencies attend such a Government, we shall submit to it; but after all that has been said on this Subject, it is certain that the Right of a Prince over his Subjects is a political Question, which cannot be determined by the Law of God, but by the Fundamental Laws of each Constitution. And as all Nations have not conspired in the same *Model* and *Species* of *Government*, but every one establishing that *Form*, which seemed at first most suitable and useful; so every Nation must be measured by *its own Constitution*, whatever Scheme of Government some Men have fram'd in their own Fancy to the contrary. However then, the Law of God orders the giving to every Man his due, and to render to *Cæsar* the things that are *Cæsar's*; yet this *Due* and *Right* is not determined in Scripture, but is to be measured by the Constitution of every Nation; for *Civil Rights* are conferred by the *distinct Laws* of every *Society*, without which all the Texts of Scripture could never prove that the *Regal Authority* is *entitled* on *one* Person or Family, or that the Right of Government belongs to *them*, secluding all others. We

We don't learn from sacred Writ when Monarchy was instituted; only it is certain that *Israel*, God's own People and Inheritance, were a long time governed by Judges, before their importunity led them to desire a King to judg them, and to go out before them, and fight their Battels; And *Israel* being the only Nation in the World, who had Kings of God's own bestowing and appointment, I shall a little consider this particular of *Jure-Divino*-Monarchy, which never had place but amongst that People, and lays no Obligation upon other Nations, unless that same immediate Revelation appointing and nominating the Persons and Families *invested*, and having *right* to the *regal Dignity*, be made evident; there being peculiar Reasons for that Institution, respecting the *Messiah*, in *entailing* the *Crown* on *David's Posterity*, which cannot be pretended to warrant the *Lineal Succession* in other Nations. But not to be further tedious, I pass on to consider the Historical Account the Scripture gives us of the Regal Authority in *Israel* where their Kings were named and appointed immediately by God; in doing of which I shall take notice of the following Particulars, which I apprehend will not be very agreeable with the Maximes of our Divines who plead for a *Jure-Divino*-Monarchy.

1. *We see it was the importunity of the People that gave the first rise to Monarchy in Israel*; for they finding *Samuel* old, and his Sons not walking in his ways, but perverting Judgment, they desired a King to judg them, and fight their Battels: and tho *Samuel* represents the manner of the King who should reign over them, in the most terrible and affrighting Shape, yet nothing would prevail with them, they must have a *King*; and God hearkens to their Voice, and gives them a *King*. The Reason the people propounded in asking a *King*, is, that he *may judg them*; and the reason God gives, in bestowing upon them a King, *is their Safety*. 1 Sam. 9. 16. So that *Salus Populi est suprema Lex*. Hence *David* is said *to be chosen to feed his People*.

2. *Those very Kings who were particularly chosen by God, obtained not the Kingdom without the Peoples consent*; this being indeed the *Foundation* of all *lawful Government*. To begin with *Saul*, we find that after God had chosen him, and *Samuel* had anointed him, yet he is again chosen *by Lot*, and gets the *Peoples Approbation*; and yet all this does not establish him on the Throne; some of them despise him in such a manner, that he is forced to retire home; and the first account we get of him is his coming out of the Field after the Herd: but after he had defeated the *Ammonites*, then at *Samuels* Desire they went to *Gilgal*, to renew the Kingdom, *and there they made him King*. I shall pass over the account of *Saul's* Son made King by *Abner*, and consider *David*, whom God had anointed and chosen to be King over *Israel*; we find first that *Judah*, and then several years after *Israel*, *came* and *anointed him King*. And tho his Son *Solomon* was anointed King by *Zadock*, and Proclaimed by the People, and chosen by God, yet that this hasty anointing may not be quarrelled by the People, we find them at a Solemn Assembly making him King the second Time. I might run thorow the whole History of the Kings of *Judah* and *Israel*, and shew the *Consent* of the *People* to be *necessary* to the *making a King*.

3. *Tho God Almighty immediately raised up and made choice both of the Persons and Families of the Kings of* Israel, *yet they were no Absolute, and*

unlimited Monarchs, but entred into Covenants and Contracts with the People. To begin with *Saul*, tho the People were importunate to have a King, yet they leave the Choice to God, conform to that Command *Deut.* 17. 15. and upon that account accoſt *Samuel*; who having brought *Saul* before them, and told them God had choſen him to be King, he was not ſo careleſs of the People, who had intruſted him with the choice of their King, as not to provide for their ſafety: it ſeems he entred into a *Contract* with *Saul*, and lays down Rules for that frightful Monarch. He had formerly repreſented and acquainted the People with the manner of the Kingdom; and to preſerve this Record ſure, he wrote it in a Book, and laid it up before the Lord; which ſeems to have a reference to what we find recorded concerning the Duty of a King, *Deut.* 17, 16, 17, *&c.* In the next place we find *David* making a Covenant with the Elders of *Iſrael* before the Lord (where the *Original Contract* was laid up) before ever they gave him the Government which is an unaccountable buſineſs, if notwithſtanding the King lay under no Obligation to them, nor accepted of the Government upon Conditions; nay we have a notable Inſtance in *Hezekiah*, that they were not Abſolute Monarchs, ruling by their own will, nor claiming a right to the whole *Legiſlative Power*, for 2 *Chron.* 29, 30. and 30. 2, 5, 6. we find the Princes joyned with the King in giving Command and eſtabliſhing a Decree, and the Letters iſſued out in the Name of the King and Princes.

4. *We find that thoſe Kings who were immediately appointed by God, and had the Crown entailed to their Poſterity, forfeited their Right to the Government, by their not performing the Conditions of the Original Contract.* Thus we ſee *Rehoboam*, refuſing to eaſe *Iſrael* of that heavy Yoke they groaned under, loſt that Kingdom; *What Portion* (ſay they) *have we in David? neither have we inheritance in the Son of* Jeſſe; They fairly capitulated with him, never (as it ſeems) dreaming of his *Abſolute Power* and *Divine Right*; and it would appear, by his deſiring three Days to return them an anſwer, he did not than upbraid them for their treaſonable Words, in ſaying they would ſerve him upon Conditions; and tho he forſook the old Mens Counſel, yet we find him not quarrelling them for it, tho they expreſs themſelves in a very odd manner, to an abſolute Monarch (as is pretended) *If* (ſay they) *thou wilt be a Servant unto this People this Day, and wilt ſerve them, and anſwer them, &c.* What ſtrange Language is this? might he not have told them, they were too bold to ſpeak at that rate for Subjects, to ſay they will not obey him as King if he yield not to their Deſires? It is true in following the young Mens Advice he treats his complaining Subjects roughly, and they are never a whit behind with him, as I have already ſhown.

5. *Tho* Saul, David, *and* Jeroboam *were particularly choſen by God, yet we find not that God Almighty tyed himſelf to a Family, or to the next immediate Succeſſor:* For tho the Crown was entailed to their Poſterity, and they were all three Hereditary Monarchs, yet it was upon *certain Conditions*, which they *failing* to *obſerve*, *forfeited* the *Right* of being eſtabliſhed in the Kingdom: It was upon this Account we find *Saul* rejected, who otherwiſe ſhould have had his Poſterity inheriting the Kingdom of *Iſrael* for ever, 1 *Sam.* 13. 13. The whole Tribes, except *Judah*, are rent from *Rehoboam*,

Reboboam, altho the Throne was established on *David*, and his Seed, for ever. The like Promise we find made to *Jeroboam*, but he not performing the *Conditions*, his Family is cut off. We have an evident Instance of diverting the Succession, in *Adonijah*, *David*'s Eldest Son, who according to the Rules of Succession should have been *preferred* to *Solomon*, and yet we find the Kingdom put by him, and given to *Solomon*.

6. *We find the Crown given to the Son while the Father is alive.* *Solomon* is not only anointed King by *Zadock*, but is a second time made King by the People. How long he sat on the Throne before his Father's Death is not certain, but we find *David* dispatching a great many Affairs after *Solomon*'s first Anointing, by way of advice, for it seems the Government was in his Son's Hand, and all *Israel* obeyed him; which would have been a puzling case to some Men, if they had been living then; but we find not the People of *Israel* raising any Scruples concerning their Submission to the Son while the Father was alive: nay we find them setting up and submitting to *Jotham* while his Father *Uzziah* lived, he being put from the Throne.

7. *We have no grounds afforded us from Sacred History to believe, that the People* of Judah *and* Israel *understood well the Doctrine of Non-Resistance and Passive Obedience*; otherwise we had not found *David* mentioned there to be at the Head of a powerful Army. It is true we find it recorded that he would not (tho it was in his Power) stretch out his Hand against *Saul*, but that makes nothing against what I am saying, for it was not *David*'s Design to kill *Saul*, but to keep *Saul* from killing him; and this it seems he designed *by Force*, to have prevented if he had been put to it; otherwise what needed he have kept up such an Army: we find likewise the People resisting *Saul*'s Endeavours to have killed *Jonathan*, and rescuing him from his Father's Fury: and *Azariah* with fourscore Priests which were valiant Men, designed it seems to have stood to it, if they had been attacqued, opposing *Uzziah*, and thrusting him out of the Temple. And here by the by, I cannot but take notice of a very remarkable Passage, that the Leprosie breaking out on *Uzziah* he became unfit for Government, and his Son reigned in his stead.

8. *It is very observable, that tho many of the Kings of* Israel *were Usurpers, and came to the Crown by murdering their Predecessors, and had no just Right nor Title to the Government, yet we find not the People nicely scanning their Right, nor quarrelling their Title*, but peaceably Submitting and acknowledging their Authority.

I might easily have inlarged upon every one of those Heads, and added a great many more, but I having already transgressed that Brevity I designed, and not doubting but these few instances I have given, will sufficiently answer the Design for which they were brought, I shall pass from the Historical part of Scripture, and search what other Passages may be found in the sacred Writs, to prove *Monarchy* to be of *Divine Right*.

In the old Testament there is one Text very much urged, to prove that Kings hold their Crowns by a Divine Right, *Prov.* 8. 15. *By me Kings reign.* Now if this place prove any thing, it proveth too much, and more than what the Objectors will allow, for it extends to all Judges and Nobles, as the following Verse expresly holds out: And yet they apply it only

to the King, or Supream Magiſtrate. But, 2. It is as evident from the Context as any thing can be, that the Wiſe Man is there ſpeaking of the Excellency and Power of Wiſdom, and the Benefits and Advantages of it. Religion being that which contributes to the eſtabliſhing Kings on the Throne, for *the Throne is eſtabliſhed by Righteouſneſs, but Wickedneſs is the Reproach of any People, and that which hurls Kings from their Thrones.* To confirm which, the Hiſtory of the Kings of *Judah* and *Iſrael* affords us unqueſtionable Inſtances. But, 3. Let this Text be taken in its full extent, all that can be concluded from it, is, That Kings are no independent Beings, but that the moſt High ruleth amongſt the Children of Men, and *ſetteth up one, and pulleth down another*; they are not exempted from an all-ruling Providence, but fall under the Divine Government, as well as other Men: For as we are all his Off-ſpring, and hold our Being, and the Continuance thereof, of him; ſo the moſt powerful and loftieſt Monarch cannot do any thing without him, can neither ſubſiſt, nor act, but by Aſſiſtance and Permiſſion from him; *The Kings Heart is in the Hand of the Lord.* As for God's ſecret Decrees, theſe are not our Rule, and fall not under our preſent Conſideration, for I am not to debate God's Power and Dominion, but deſire to ſee a clear proof and ſufficient evidence, that Monarchy is the only Government appointed by God ſo ſurely *entailed* on particular Perſons, and their Poſterity, that the People *have no hand in the choice of their King who is Abſolute*, and not accountable to them.

As for the New Teſtament we find not Chriſt and his Apoſtles preſcribing any particular Form of Civil Government, or erecting new Polities, or ſetting down any Rules for altering the Laws of a State; but left Kings and Common-Wealths to enjoy their own Laws, without augmenting the Magiſtrates Power, or diminiſhing the Subjects Liberty: we find indeed ſome Moral Duties belonging to both laid down, and very ſeriouſly recommended, but not the leaſt intimation of Monarchy its being the only lawful Form of Civil Government, or of any general Rule determining the Rights of Kings and People; for ſince every Kingdom had its own particular Laws, and the *Power* of the *Magiſtrate* and *Liberty* of the *Subject* being inlarged, or hem'd in, according to the different Conſtitutions of Nations, there could no general Rule be laid down without overturning theſe Conſtitutions: the Goſpel doth indeed ſecure every one in their Rights, and enjoins the giving unto *Cæſar* the things that are *Cæſars*, and the rendring to every one his due, without defrauding any Man of what belongs to him; but what thoſe Rights are, that the Goſpel meddles not with, but ſuppoſes theſe as determined by the Laws of the Realm, which if the Magiſtrate violates, and requires more from his People than what the Law allows, they are not obliged to obey, becauſe he has no Right but what is given him by Law. And from it the People learn the meaſures of their Obedience.

But becauſe the 13*th* of the *Romans* enjoining Obedience, and Submiſſion to the higher Powers, and forbidding Reſiſtance, is ſo violently urged, I ſhall briefly conſider it. And, 1. Some, upon very good Grounds, think that the Apoſtle here by *Power* underſtands it in the Abſtract, that *Magiſtracy or Government is of Divine Appointment*; but in the Concrete, as it relates to the

the Person or Persons vested with this Power, it is of Humane Extract, and therefore called by the Apostle *Peter* the Ordinance of Man, which implies the *Consent of the People* to be necessary in bestowing of it upon one or more; as the *Consent* of the Persons who enter into a *married State* is that which determins the Bargain, tho it is certain that *Marriage* is as well an Ordinance of God as Magistracy, and it is evident the Greek Text warrants this Sense and explanation. 2. As for Obedience and *Submission*, which is so much urged from this Text, let it be taken in the Concrete, I think it will not reach our present Circumstances, further than to oblige us to submit to King *William*, who is the *Power* in being, and now in possession of the Crown: For we do not find our Saviour, or his Apostles, enjoining Christians to scan the *Right* and *Title* of the Powers then in being; but exhorting them to live quietly and peaceably under their Protection; and upon this Account the Author of our Religion gave Tribute unto *Cesar*, who could pretend no Legal Title: for *Julius Cæsar* having usurped on the Senate, his Successor *Augustus* being then the Power in being, continued the Usurpation; and the best Claim he could have, was the *forced Approbation* of the State. It is well known that many of the *Roman* Emperours were set up by the Souldiers, and had no better Title, than the Army who made choice of them, had any Legal Power for what they did; and whether *Claudius* or *Nero* were the Power in being, when the Epistle to the *Romans* was writ, it matters not much, Christians then were commanded to submit to them, and not to quarrel their Title. But the State of Christians now is quite different from that of Primitive Christians, who had no *Laws in their Favour*, and so *could not legally resist the Powers in Being*. Our Constitution of Civil Government is likewise different from theirs, we are *legally possessed of our Rights*, and therefore may *legally defend them*; we live not under Kings who rule by the Sword, but who are obliged to rule by Law. 3. The Design of those Texts that enjoin Obedience to Princes, seems to be particularly calculated for the Jews, who thought it unlawful to be brought under Subjection to any *usurped Powers*; as we find it reported of the *Galileans*: and for some weak and other licentious Christians, as the *Gnosticks*, who, under the pretence of Christian Liberty, thought it unlawful to be Servants to Men, or obey Magistrates. Now the Apostle corrects this Mistake of theirs, and shews them it is a Duty to obey Magistrates, and that it was a Folly in them to resist.

As for that Instance for Non-Resistance, brought from our Saviour's rebuking *Peter* in drawing his Sword for his Master's Defence, it is most impertinently alledged; for the High-Priest had no Power nor Authority to apprehend our Saviour, it was an unlawful Attempt, and so might have been lawfully resisted: and our Saviour does not in the least insinuate that it was unlawful to resist; but there were very just Grounds for rebuking *Peter*, 1. His Rashness and Presumption in striking in his Master's Presence, without his Command; for while others were putting up the Question, *Lord shall we smite with the Sword?* which shewed their Readiness, *Peter* waits not the Word of Command, but strikes without Commission. 2. His Unbelief, in thinking Christ could not be rescued without his Assistance; for tho he had seen many Miracles wrought, and even at that instant an evident

Demonstration of his Power, in dashing them to the Ground by a Word: Yet this had no Influence upon him, he did not act Faith on the Assistance of Heaven; and therefore our Saviour checks him, *Thinkest thou that I cannot now pray to my Father, and he shall presently give me more than twelve Legions of Angels?* 3. His drawing his Sword was unseasonable, and contrary to his Master's Design, of which he so frequently told him, *Put up thy Sword into the Sheath: the Cup that my Father gives me, shall I not drink it?* Joh. 18. 11. He had foretold his Disciples of his Sufferings, and rebuked *Peter* for dissuading him; and now the Hour being come, if our Saviour had resisted, how could the Scripture be fulfilled? But if Resistance had been in all cases unlawful, how came our great Master to desire his Disciples to buy Swords? Did he thereby only typify the suffering Condition they were to meet with?

But lest I be mistaken, while I am speaking of the Power of Princes, and of the Doctrine of Non-Resistance, and Passive Obedience, tho I apprehend I have used the utmost Caution in expressing my self upon both these Heads; I shall yet more distinctly add, that I hate the thoughts of entertaining any thing prejudicial to the just and lawful Power of my Prince, and judg it a pernicious Principle for every private Capacity to quarrel his Authority, or speak evil of Dignities. I know very well it is impossible for the best of Kings to please some ill-natured Subjects, who like Wild Beasts are impatient of any tye, and can hardly be brought to submit to the Yoak of Government; but upon the least impairing of their private and selfish Interest turn impatient, and unruly. I look upon such Men to be unfit to live in a Society, and judg it far better that a few of those violent and malignant Heads be cut off, than that the whole Nation should be exposed to Confusion and Blood. I think it then unlawful to disobey, or resist the Magistrate in the use of that Authority he is justly possessed of: Nay, suppose he should wrong me in my private Interest, tho I cannot say I would be contented, yet I should certainly submit, and not thereby disturb the publick Peace of the Nation. I think a King may be a very bad Man, but he is not accountable to Men, but to Almighty God for his wicked Life and Conversation. I think, moreover, a King may commit many Faults in the Government, may do many unjust and unlawful Things, may be guilty of many Breaches of the Law, the publick Affairs of the Kingdom may suffer by his Male-Administration, Justice may be violated, and several Enormities be committed; and yet the People in these bad Cases must rather suffer than oppose their Prince. But when a King will be reclaimed by no Intreaties, but proceeds to the overturning of the Laws, and the Fundamental Constitution of the Government, and instead of a King, whose Power is measured by the Law, he turns Tyrant, and rules by his Pleasure; if in this case he may not be resisted, I know not what a King may not do. I do not say that the Subject is obliged in Conscience to obey any unlawful Command, but yet the *publick Good* must measure his Obedience; but when that is destroyed by an *Arbitrary Power*, *Resistance*, the last *Remedy*, must be used. But it is enough to vindicate me from any Misconstruction, that I am not now vindicating the Actions of a Rabble, or of a few discontented Subjects flying in the Face of Authority, but of the Representatives of

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our Nation, who upon just Grounds after mature Deliberation, have declared the late King to have forfeited his Right of the Crown.

Having thus sufficiently answered all the Objections, that can be urged against the Reasons made use of by the States, for declaring the Throne Vacant, and most of them being matters of Fact, which cannot be disproved: I shall now, very briefly, consider the Resolution of the Estates, in declaring the late King *James* to have forfeited the Right of the Crown, and the Throne to be Vacant.

Some Men cannot endure to hear of an Hereditary Monarch's forfeiting his Right: but these Men are offended without telling us their Reasons, which is indeed impossible for them to produce; for if our Kings are obliged to *Rule* according to *Law*, and have only so much *Power* as the *Law gives them*; if it was the Peoples *Choice*, that preferred them before others, and so *entailed* the *Crown* upon their Race, *upon certain Terms and Conditions*: then certainly, if they break these Conditions, and instead of a Legal Government, they usurp an *Absolute* and *Tyrannical Power*; it is a clear and self-evident Consequence that *they forfeit their Right to the Crown*. I have already made it evident, that the very *Nature* and *end* of *Government*, suppose an *Original Contract*, and that there was never a *Government* instituted without the *Peoples Consent*; that our Kings are *limited* and *Legal* Monarchs, and are engaged to rule according to Laws: if then it be certain (as by sad experience we know it was) that the late King assumed the Government *contrary to Law*, and invaded the *Fundamental Constitution*, inverting all the ends of Government by manifest Violations and insufferable Encroachments; there remains not the least doubt of his forfeiting the Right of the Crown. This is so palpable a Truth, that none but Men who have sacrificed their Judgments to Court-Flattery, ever disputed.

But to make this more evident, (for I desire to clear all Difficulties as far as the brevity I have designed will allow;) I shall briefly enquire into this pretended *Hereditary Right*, and the true State and Constitution of our Government. First then it is certain that our Monarchs are Hereditary, *not by virtue of their Birth, but by reason of the Constitution*. *Fergus* the first, was not born a King, but made King by the People; and if they had not sent for Him, and made him King, he, and his Posterity, could have laid no better claim to it than others; and they might have established any other sort of Government, as well as Monarchy, if they had not judged this the best for their Safety and Preservation. It is then *Jure Constitutionis*, that the Crown was setled on *Fergus* and his Posterity, for they might have setled the Crown upon himself only during his life, without granting it to his Successors by Line; so that it is only by virtue of the Constitution, that either *Fergus* was chosen King, or his Posterity continued on the Throne.

Upon what Terms and Conditions our first King received the Crown, is not altogether so clear as could be Wished; for our Records being destroyed, and our Historians giving us but a brief Transumpt and Account of what passed in the beginning of our Monarchy (which for its Anti-

quity finds few natural Competitors) I hope Impartial Men will be content with this ſhort Narration, which I have taken from our beſt Hiſtorians, and tho without Citation, I will warrant upon my Credit.

All our Hiſtorians tell us, that *Fergus* being in *Ireland*, the Scots ſent for him, and made him King; and confirmed the Kingdom to him and his Poſterity; and tho there be no mention made in Hiſtory of any Contract betwixt him and the People, yet the very nature of the thing implies, that People acting rationally, and without Conſtraint, would not beſtow the Crown upon their King without Conditions, or put themſelves in a worſe State than they were in formerly: and tho our Hiſtorians mention not any Contract, yet the Account we have of the Peoples Behaviour afterwards, ſhews there was ſuch a Paction and Agreement; and that it was the Publick Good, and their own Safety, they deſigned in Setting up a King: for immediately upon *Fergus* Death, they made choice of his Brother *Fertharis* to be King, and paſſed by his two Sons, as being young and unfit to Govern; and when the eldeſt afterwards challenged the Kingdom, as his by Right, they little regarded his Plea, and enacted a Law, *That the immediate Heir of the Crown, being by his infancy uncapable to govern, the next who was fit and able to diſcharge the place ſhould be choſen King.* And this Law continued till *Keneth* the third prevailed with the Parliament to change it, and yet his Son was put by the Crown, by virtue of this former Law; all which is a convincing Proof *that the People ſtill retained Power to change the Succeſſor for the Advantage of the Publick.* And tho our Hiſtorians make no mention of Contracts then, yet this Law is an unqueſtionable evidence, that our Kings accepted of the Crown upon Conditions. And in the reign of *Finnanus* the 10*th* King, it was appointed, *That the Kings, in times coming, ſhould do nothing of any moment without the Conſent of the Parliament, that he ſhould neither make Peace nor War, nor enter unto any Leagues without their Authority.* This is ſuch a limitation of the King's Power, that it leaves him little more than the Title of a King; and yet his Succeſſor did Swear to it, and *Mogaldus* the 23*d* King, is commended, that according to ancient Cuſtom, he did all by Advice of the Parliament: and his Succeſſor, for not obſerving this ancient Cuſtom, was impriſoned. But not to be tedious, we find ſeveral of our Kings Swearing *to be ruled by the Counſel of a Parliament, to maintain the Intereſt of the Kingdom, and to defend their Religion.* And when they were not fit to govern, they were laid aſide; when they began to tyranniſe, and overturn the *Fundamental Conſtitution*, we find ſome of them *Cenſured, and upon promiſe of amendment, continued on the Throne; others that were obſtinate, put from the Government*; which abundantly clear that our Kings were no *abſolute Monarchs*, but under Limitations, and Legal Reſtraints; and every Body knows, that our Kings of late were obliged to Swear *to defend our Religion, and Liberties, and to rule according to Law*; *If then* a King aſſuming the Government *contrary to Law*, violates the Fundamental Conſtitution of the Kingdom, in that caſe, *ipſo facto, he forfeits his Right of the Crown.*

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You'll ſay, *there is no ſuch Clauſe in any of our Laws, if a King Tyrannize, and Acts contrary to Law, that he forfeits his Right of the Crown. Anſw.* There is no need for inſerting ſo odious a Clauſe, either in our Laws, or in the Oath taken by the King, it is enough that they are obliged to rule according to Law; and if a King forfeits not his Right when he breaks his Oath and deſtroys the Laws, what empty Things are Laws and Oaths? Do they lay no tye upon the King? Why then were they invented? And if they lay any Obligation upon the Prince, it is certainly for the Security of the Subject: But if the Subject be never a whit the Securer, Laws and Oaths may be laid aſide. There is then a mutual Obligation between King and People; and tho it be not expreſt, if he break the Condition of the Contract, the Subject is freed of his Obligation; yet it is as certainly ſuppoſed, as Divorce in Caſe of Adultery is in the Matrimonial Contract: for it is a plain Contradiction to ſay, *a Contract can ſubſiſt when the Conditions are broken and violated.*

But ſome Men fancy, That *Expedients might have been found out for tying up the King, whereby our Laws and Liberties had been ſecured, without putting him from the Throne. Anſw.* There was indeed a Poſſibility in the Caſe, but not the leaſt Probability; and wiſe Men muſt not make *Maybees* their Rule. It is well known that the late King was not ignorant of the Complaints of his People; and if he had reſolved to redreſs their Grievances, it was certainly the fitteſt time for him to have declared he would have ruled by Law, and refer all things to the Deciſion of a Free Parliament in both the Nations, before he retired from *England.* If he had taken theſe meaſures, he had ſatisfied both the Prince of *Orange*'s Declaration, and the Deſires of the People; and had been yet ſitting upon the Throne: But his haſty deſerting us, without ever making any Propoſals, was a Demonſtration that he reſolved not to come under Ties, or to change thoſe Meaſures he had laid down: and his Letter read in the Meeting of the Eſtates, is a ſufficient Confirmation of his fixed Reſolutions, to rule without Limitations; for he propoſes no Expedients but his Promiſe. And what truſt might be repoſed in that we may pretty well gueſs, by what we have formerly ſeen. Suppoſe then King *James* had been again ſet upon the Throne, ſhackled with all the Ties, and Chains Men could contrive, would the Kingdom have been a whit more ſecure than formerly? How eaſily could he have made a Party for himſelf, and ſoon have ſhak'd off thoſe Fetters put upon him by force, either by ſecuring to his Intereſt a ſtrong Party at home, or by calling over the French to his Aſſiſtance. And have we not ſufficient Ground to think that thoſe Men amongſt us, who plead for *a Jure-Divino*-Monarchy, would ſoon have preach'd down a Limited one as a Repugnancy in it ſelf? But Men may talk at what rate they pleaſe; Yet no man that ſeriouſly conſiders the Caſe can ſee how our Religion, Liberties, and the Proteſtant Intereſt in *Europe* could have had the leaſt Proſpect of being ſecured, if King *James*, with all theſe imaginary Shackles had been called back; to ſpeak nothing of his Religion which makes him uncapable of our Government, and renders his Promiſes juſtly Suſpicious. Beſides, if the Eſtates of our

Kingdom had recalled King *James*, after *England* had ſettled the Crown upon King *William* and Queen *Mary*, we had expoſed our ſelves to inevitable Miſeries, and unpitied Calamities, without the leaſt hope of a deſirable Relief.

But tho ſome Men are ſatisfied that King *James* could not in reaſon be called back, yet they cannot endure *that the Child ſhould have been paſſed by, and excluded as Suppoſititious*, without ever bringing that Affair to a trial: for it is not enough that it has been ſtoried throughout the Kingdom, that he is *an impoſtured Infant*, but if after a fair Trial he had been found to be a *Cheat*, the Eſtates had ſufficiently vindicated themſelves, *in leaving him with his pretended Father, otherwiſe they ſhould have ſent for him, and ſeen to his Education; and if the Parents had refuſed, the Eſtates had been Free. Anſw.* This Affair did more properly belong to the Convention and Parliament of *England* to canvaſs, than to the Meeting of the Eſtates in *Scotland*; for the pretended Birth, being in *England*, and that Nation, being as much concerned as ours, to enquire into that Affair, whatever they did in this, behoved to be a leading Caſe to us. Now it being certain, that the whole Nation, upon good Grounds, doubted of the Queen's being with Child, had it not been reaſonable to have given ſome Satisfaction, and to have removed theſe Doubts? The Parents could not but know there was a neceſſity of giving unqueſtionable Proofs of this, the report of the Queen's bigneſs being ſo much ſuſpected; ſo that all reaſonable Men muſt from thence conclude that it was the moſt unaccountable, and moſt unreaſonable Contrivance imaginable, to refuſe a convincing Proof which might have been ſo eaſily given, if the Queen had been with Child, as was given out. The pretended Labour was alſo anſwerable to the Contrivance, and carried on ſo in the dark, that an impartial and unbiaſſed Obſerver could not but ſee a *wilful Deſign*, in refuſing to give ſufficient Proof in a buſineſs of ſo great Concernment: and this might be one Reaſon why the Parliament never meddled with that Affair; for ſince the *wilful neglect* of the Parents rendred the Child's Title ſo *obſcure*, they might have given him a new Title, but could not make his pretended one a whit juſter: and the Objections and Suppoſitions being prior to the pretended Birth, theſe ſhould have been removed by the Parents; otherwiſe it was impoſſible to remove theſe violent Suſpicions the People entertained. The pretended Prince then was laid aſide, by the Parents refuſing to make his Birth open and evident; and the Parliament had no reaſon to prove the Cheat, for ſome Crimes are ſo black and foul, that being committed with the utmoſt Caution and Secreſy, they admit of no Legal Probation: in ſuch Caſes juſt Grounds of Suſpicion muſt have place. But this Debate being quite out of doors, I forbear to meddle more with it, only I muſt, in ſo far as it concerns the Vindication of the preſent Proceedings, add, that beſides the violent preſumptions there were of the pretended Birth, his being a Papiſt made him uncapable to ſucceed by any Law; and their carrying him into a Foreign Land, gave all Men ground to ſuſpect his Education.

But because in Hereditary Monarchies it is a received Maxime, *That the King dies not; it seems to be a Case of great moment, Whether the Estates, in declaring the Throne to be vacant, overthrow the Law of Succession.*

In answer to this, I shall first in the general say, That the *Vacancy of the Throne* is not inconsistent with the Notion of *Succession:* For it is obvious, that many Cases may happen of the Throne's being vacant, and yet no prejudice done to the Succession: But here the Laws of Succession must be measured by the Municipal Laws of every Kingdom. In *France* the *Salique* Law excludes Females from the Succession: with us, since the Reign of *Kenneth* III. the Succession has been entailed on the next of the Line, failing Heirs Male of Body: So that while we are speaking of the Law of Succession, we must understand the Succession as it is settled by our own Laws. Now it is certain, that it was an ancient Custom which continued about a Thousand Years, of putting by the next Heir, if a Child, and chusing the fittest of the Race for Government; and yet this was not thought to prejudice the Succession; and yet it could not be done without a Vacancy: But our History affords us a too memorable Passage to confirm this, That the Vacancy of the Throne does not overthrow the Laws of Succession; For it is certain, that after the Death of *Alexander* 3*d*, the Throne was for a long time vacant, occasioned by the Debates concerning the neerest in the Line, whether it belonged to *Baliol* or *Bruce*; and yet though there was a Competition for the Succession, and hot Disputes about the Person, yet it was still in regard to keep up the Lineal Succession. But further, according to the Law of our Kingdom, our Kings are not to assume the Government, without taking the *Coronation Oath:* Now this cannot be instantly done upon the Death of the Predecessor, which necessarily infers a Vacancy of the Throne. And it's impossible to conceive the Death of the King without a Vacancy.

But now more particularly: Some think the Male-Administration of a King cannot pre-judge the Right of Heirs; and that a King who forfeits his Kingdom, does only forfeit it for himself, and not for his Posterity: So that the Government is not devolved on the People, that they may either alter the Constitution, and set up Aristocracy instead of Monarchy, or make choice of what Persons they think fit to sit on the Throne; and so in place of an Hereditary, to set up an Elective Monarchy: For this were to destroy the Fundamental Laws of our Kingdom; of which the Meeting of Estates are so careful to preserve: For it cannot be supposed, that upon declaring the Throne vacant, all former Laws, are *ipso facto*, null. Now if our Laws be in force, the Succession cannot be wronged, nor our Monarchy devolve, while there are Natural Heirs Politically capacitated: For it was never the Design of our Laws, nor the Practice of our Kingdom, to put by such Heirs upon the account of the *Male-Administration of the Predecessor:* and it is inconsistent with the Law of Equity and Justice, to punish the Child for the Parents Fault: For however in Subjects the Children posses not the Estates of their Forfeited Parents, except they have a Legal Right to them prior to the Forfeiture; yet this Fatality reacheth not the Children of

Kings, who ſucceed *Jure Conſtitutionis*; So that the very Nature and Deſign of an Hereditary Monarchy would be deſtroyed if this were admitted, and render it as precarious as if it were *Elective*: For however at the firſt Conſtitution People might have condeſcended on what Conditions they pleaſed in ſettling the Succeſſion, yet after the fixing of the Conſtitution, both King and People are tyed by Oaths and Laws, not to alter it: And if King *William* (when Prince of *Orange*) was ſo much concerned to vindicate the Princeſs Right, upon the Report of the violent Suſpicions of the ſuſpected Infant; what might he not have done, in Juſtice, if our Eſtates had put the Crown by her? To conclude, Unleſs there be the ſame juſt Grounds and Reaſons, for forfeiting the Heir, there was for forfeiting the Predeceſſor, neither Law nor Equity will allow it.

Others think, *the Security of the Kingdom, and Safety of the People are concerned, that Children ſucceed not to their forfeited Parents* (but this is a very dangerous Plea); *and that the Right being broken, the ſettling of it again is devolved on the People*; *and they may mould it according to their pleaſure, and either prefer Perſons, or limit the Succeſſion. So that if ever there was an opportunity for the People to vindicate their Rights and Priviledges, this was the time.*

I am not very willing to be poſitive in reſolving a Caſe involved with ſo many Intricacies and Difficulties; only I think a man's moderation will not be condemned, in ſaying, That ſince King *James* had forfeited the Right of the Crown, and the Child not being politically capacitated, the Right of Succeſſion did belong to the preſent Queen of *England*; and the Crown could not have been put by her in Juſtice and Equity, though it was in the power of the Eſtates to regulate the Succeſſion, with a juſt care and regard to the Intereſt of thoſe concerned in it; and to limit it, for the good of the Nation, to Heirs rightly qualified: All which I apprehend exactly quadrate with the Reſolution of the Eſtates in the preſent ſettling of the Crown: Which comes next to be conſidered.

The Throne then being declared vacant, neceſſarily implied it was to be filled; And the Eſtates having exactly followed the Example of *England*, it will not be, I hope, expected I ſhould enlarge here: For whatever has been written for vindicating the Convention and Parliament of *England*, upon this Head, does equally vindicate the Reſolution of the Eſtates of *Scotland*: I ſhall therefore only briefly conſider the Two following Prejudices ſome men entertain againſt the preſent ſettling of the Crown.

1. Some are offended, *That King* William *ſhould be placed on the Throne with Queen* Mary.

2. Others are angry, *That Princeſs* Ann *ſhould be poſtponed.*

Now there is not the leaſt Ground for any reaſonable man to quarrel at either of theſe: For if all Perſons concerned be content with the Reſolution of the Eſtates; if Queen *Mary*, Princeſs *Ann*, and the Prince, be fully ſatisfied with the preſent ſettling of the Crown, I know not why any private perſon ſhould be diſſatisfied: For where there is no Injury done, no body ought to complain; and where there is a voluntary Conſent, there the Perſons ſuffer no Wrong: For ſuppoſe there be ſome little encroachment made upon the Succeſſion, yet ſince that was not done either without

out the conſent, or to the prejudice of thoſe concerned, but highly advantageous to their Intereſt and to the peace and ſafety of the Nation, we have all the reaſon in the world to ſubmit to the Determination of the Eſtates, who have been very careful to intrench, as little as the preſent Circumſtances would allow, on the Right of Succeſſion: Beſides, no body can doubt but it was in the Power of the preſent States to Regulate the Succeſſion, and it is certain they never intended to deſtroy it; and then the right of Regal Authority did antecedently to their Declaration belong to Queen *Mary*; yet their is no Article of our Conſtitution that contradicts the preſent Reſolution of ſettling the Regal Authority upon King *William* and Queen *Mary* joyntly; for it is inconteſtable, that a Queen in Poſſeſſion ſuperinducing a Husband, may with her own Conſent and Allowance of the Parliament, veſt her Husband with an equal ſhare of the Regal Authority during her Life; much more may this be done, when the neareſt Male to the Crown is already Husband to the Heir before put in Poſſeſſion; and though it be determined that the Matrimonial Crown belongs to King *William* after the death of Queen *Mary*, yet ſince his Heirs with another Wife are poſtponed to the Heirs of Princeſs *Ann*, this ſeems to give him no more than what the Courteſie of *Scotland* gives to every Private Man who Marries an Heir, if a Child be born, although it do not ſurvive. Beſides, it is certain *the Heir of a Crown may voluntarily quit the Government, and cede the Right to the next Heir; for no body can force the Heir of the Crown to accept of the Government.* If then the Princeſs has willingly condeſcended that King *William* enjoy the Crown during his Life time; and the Eſtates have accordingly ſettled the Government, it is inſufferable to raiſe Scruples for diſturbing the Publick Peace, which are meerly ſupported by prejudice. I ſhall ſpeak nothing here of King *William*'s Merit, who deſerved ten times more of the Nation, if they had had more to beſtow; nor ſhall I inveigh againſt thoſe who would ſet up the ſuſpected Child, though that had ſubverted the Succeſſion to a Miracle, and poſtponed Princeſs *Ann*'s Right without a Remedy: I ſhall only deſire Men of Common Senſe, to judge whether our States, finding the Reſolution of the Convention of *England* ſo reaſonable and advantageous, had acted Prudently, if they had not followed their Example; for certainly if they had not done ſo, they behoved at every new Election of a King to have broke with that Kingdom, and what had been the fatal Conſequences of that, it is eaſie to divine.

The Eſtates having thus reſolved on the ſettling of the Crown, the next ſtep of their Proceedings is their Iſſuing out a Proclamation relative to the Inſtrument of Government or Claim of Right, Declaring *William* and *Mary*, King and Queen of *England*, to be King and Queen of *Scotland*. Some men make this a matter of ſport and laughter, and look upon it as a pretty odd and unaccountable Myſtery, firſt to Proclaim a King and Queen, and then to make offer of the Crown upon certain Terms and Conditions, which they knew not whether they would Aſſent to; and till their Acceptance, the Government was to continue in the Power of the Eſtates. But all thoſe Out-cries and furious Storms

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the Enemies of our Peace raiſe, may be ſoon ſilenced and calm'd by a ſober and unprejudic'd Mind; for the Circumſtances of the Kingdom would not allow the delaying of the Proclamation, and in times of imminent danger none but Fools will ſtand upon Formalities. If King *William* and Queen *Mary* had been in the Kingdom, there had been another method obſerved, but their diſtance and the preſent Circumſtances and Condition of the Nation will ſufficiently vindicate the Reſolution of the Eſtates to all unbiaſſed Minds.

Again, we are told, *That the Eſtates ſhew little kindneſs to King* William *and Queen* Mary, *and repoſe no great Confidence in them, to offer them the Crown with a Claim of Right, and redreſſing Grievances; for by this means they are ſo tyed up and ſhackled, and have the Prerogative ſo impaired and curt'led, that the Subject has a* jus *againſt them if they tranſgreſs.*

Anſw. This is a Malicious and Groundleſs Inſinuation, there being nothing in the Claim of Right that in the leaſt clips the Kings due Prerogative, except Arbitrary Power be pretended to belong to the Prerogative, which is the only thing the Claim of Right guards againſt, in ſecuring the Subject from thoſe Invaſions that were made on our Priviledges and Liberties during the former Reigns, by an aſſumed Abſolute Power. I doubt not but the Eſtates could have generouſly beſtowed the Crown on King *William* without any Limitation or Condition; but the preſent Settlement having a farther Proſpect, and they not knowing what might be the Diſpoſition of thoſe who may Succeed, they had all the reaſon in the World to ſee to the ſecurity of their Poſterity, as well as to their own. Beſides, they have done nothing contrary to the end and deſign of King *William*'s Declaration, (when Prince of *Orange*) which was to provide a Remedy againſt the Encroachments made on the Liberties and Priviledges of the People, and to Redreſs thoſe Grievances they groaned under: and if Men call this a Curt'ling of the Prerogative, I confeſs I underſtand not what they mean by ſuch a Word; I have always thought that a good King, who Ruling by Law, has the Hearts of his Subjects intirely united to him, is a more abſolutely happy Prince than the moſt Arbitrary Monarch in the World. But is the Prerogative of the King and Right of the Subject ſo inconſiſtent, that the one cannot be ſecured without the other ſuffer? It ſeems Men who raiſe ſuch a Scruple, have either a deſign againſt the Peace of the Government, or underſtand not well what they ſay.

The laſt thing I ſhall take notice of in the Proceedings of the Eſtates, is the Proclamation againſt the owning of the Late King *James*, and Commanding publick Prayers to be made for King *William* and Queen *Mary*. Now any body in reaſon would think, that ſince the Eſtates, who were the only proper Judges, had declared the late King had forfeited his Right, and laid down the Grounds and Reaſons thereof, and had afterwards declared King *William* and Queen *Mary* of *England*, King and Queen of *Scotland*, that all the Subjects of the Kingdom were obliged to ſtand to their Determination. Yet ſome Men pretending Conſcience, refuſe to tranſfer their Duty to the Eſtabliſhed Government,

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thinking themselves obliged by their former Oaths to the late King. I shall therefore briefly consider the Case, whether our Allegiance be due to the late King, or to the present Powers, under whose Protection we live, who are established in the Government, whatever difficulty some Men may see in resolving the Doubt. I confess I cannot discover it, for it seems to be a plain Case, that if King *James* has forfeited his Right of the Crown, he ceases to be our King, and is clearly devested of his Soveraignty, and consequently our Allegiance is void and null: For it is incontestable, that Allegiance is extinguished and dead, if the Soveraignty be destroyed; it is not to the Person absolutely, but to the Person invested with the Government that Allegiance is due. *For as no Allegiance was due to the Person before he was King, so none is due if he cease to be so.* Allegiance is a relative Duty, if therefore the relation be dissolved, the Allegiance is extinguished. This is like Divorce in Case of Adultery, which destroyeth the Matrimonial Contract and Relation: but if King *James* be still King, if he has not forfeited his Right, but retains the Soveraignty, we owe him alone our Allegiance: So that the Case is plain, that it is not Conscience we have to deal with, but a prejudicate Opinion, opposite to the Authority of the Nation: for it were an easie matter to satisfie their Conscience, if they could be brought to acknowledge that King *James* had forfeited his Right; for it is not because they have sworn Allegiance to King *James* that they refuse to Pray for King *William* and Queen *Mary*, but because they own him still to be their King, and therefore can give their Allegiance to no other while he lives. For I think none of them would pretend the Obligation of their Oaths, if their Prince became furious, or so foolish that he became unfit to Govern, and the Government transferred upon another by the publick Authority of the Nation: Or if he publickly resign'd the Government, and voluntarily took himself to a private Life. All these are Cases which have occurred, and I know no body who ever thought that the Subjects Allegiance in these Cases was not void and null by reason of their loosing and quitting the Soveraignty: so that it is evident, that Oaths oblige no longer than the person is vested with the Soveraignty. Besides, there is an obvious Case which would puzle these Gentlemen to resolve; Whether the Naturalizing of Foreigners, who had sworn Allegiance to their own Prince, inferreth Perjury? Certainly if Allegiance were absolutely due to the Person, there could be no dispensing with the Oath, and yet here is a translation of Allegiance ordinarily practised, without being Condemned by Lawyers or Casuists, because no Man is obliged to live in one place, and if he cannot find Protection or Subsistance under one Prince, he may leave that Society and join with another. Now he owes Allegiance no longer than he is a Member of the Society, and if he ceases to be a Subject, his Oath ceaseth to oblige him; for the Oath is upon the account of a prior Obligation, and the Subject owes Allegiance to his Prince by vertue of the *Constitution* whether he swear or not; so that if Allegiance ceaseth, the Oath is likewise extinguish'd. Besides, it is certain that both the Oaths of Supremacy and Allegiance were intended only to prevent the Usurpations and Pre-

tenſions of the Pope and Court of *Rome*, and gave no new Power nor Authority to the Prince, nor made any new degree of Allegiance, but a Bar to the Pope, who pretended a Supremacy over Eccleſiaſtick Perſons and in Eccleſiaſtical Cauſes; and a Power of Excommunicating and Depoſing Kings, and of releaſing Subjects from their Allegiance. Now it is incredible that our Superiors, who impoſed theſe Oaths, intended that we ſhould be thereby obliged to Protect a King who is deſtroying the Conſtitution, and overturning our Religion and Liberties, and introducing Popery: Upon the account of barring and keeping it out theſe Oaths were firſt framed.

I have already ſhewed that our Kings are Kings by Contract; that their Power is Limited and Conditional; that a King may ceaſe to be King, and forfeit his Right of the Government. Now if King *James* has broken the Contract, and not performed the Conditions thereof, the Contract is void, and Subjects are *ipſo facto* looſed from their Allegiance; for we owe no farther Allegiance to the Perſon, than as he is King and acts by Law: and I think it was never the Intention of our Lawgivers, nor of thoſe who ſwore Allegiance to the late King, that their Oaths ſhould bind them to protect him in deſtroying the Legal Conſtitution, their Religion, Liberties and Lives. It is the Opinion of all Caſuiſts, that reciprocal Tyes and Oaths, and mutual Stipulations are quite caſſed and diſſolved, if one of the Parties fail in the performance. Now it is evident that King a without Oaths is obliged to Protect, and the Subject is obliged to Obey; nay more, our Kings are obliged by Law, to ſwear to Defend and Rule us by Law, upon which account we ſwear Allegiance. Now if the King inſtead of Ruling by Law deſtroyes the Law, we are ſet free from our Allegiance, which can ſupport no Man to be a Tyrant, otherwiſe the Oath would be *vinculum iniquitatis*.

I might here adduce the ſeveral Caſes propoſed by Caſuiſts, wherein a promiſſory Oath may ceaſe to oblige: *As if the State of Affairs change, or the quality of the Perſon ceaſe, or a greater good be hindered*, &c. All which we might urge to purpoſe, if the preſent Caſe required the clearing of Doubts which might perplex a ſcrupulous Conſcience: But alas we have not to do with the Conſcience, but with perverſe Diſpoſitions and Inclinations. With Men who perhaps have no great kindneſs for King *James*, nor ſuch ſtrict regarders of Oaths, but who hate the preſent Eſtabliſhment, becauſe they can expect no advancement from ſo mild a Government.

If this were not the preſent Caſe, I ſhould further be at ſome pains to tell them, that *ſalus populi eſt Suprema lex, that neither Laws nor Oaths againſt the publick Good bind the Conſcience*: For this being the great end of Government, it is antecedent to all Laws, and whatever deſtroys that, is null and cannot oblige: For it is a received Maxim, *Prior obligatio præjudicat poſteriori*. Now I ſhall leave it to every ſober Mind, not biaſſed by Prejudice, to judge whether we owe Allegiance to the late King, who was beginning to deſtroy our Laws, Religion and Liberties, and ruining the End of Government, which is prior to Allegiance, and which no Civil Conſtitution can annul.

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But suppose King *William* were King only *de facto*, and not *de jure*; yet I see not upon what account our Clergy refuse to pray for him: There is no Text in Sacred Writ that does warrant there refusal: Our Saviour (as I told) gave Tribute to *Cæsar*; and the Apostles, St. *Paul* and St. *Peter*, ordered Subjection to the Powers in being, and Prayers and Supplications to be made for them; and yet the Powers then in being were meer Usurpers, and had no just Title. Now since the great Meeting of the Nation hath invested King *William* with the Royal Dignity, he is not only *de facto*, but *de jure*, our King; and if we render him not our Allegiance, we are liable to punishment: Nay, I'll moreover suppose King *William* had obtained the Crown by Conquest (which can never give a just Title, without the Peoples Consent), yet Subjects might with a good Conscience submit to him, and obey his Commands; *modo non sit factu turpe aut injustum*, as Bishop *Sanderson*, in his 5*th* Pre-lecture, resolves the Case at some length, and more particularly in a little Treatise concerning that Engagement in *Cromwell*'s time, of promising to be true and faithful to the Commonwealth.

But I must here put a stop to any further reasoning on this Head, there being already enough written to satisfie scrupulous Consciences; and all the Reasons that can be urged, will never satisfie a discontented Spirit: For men who will not pray for a King and Queen set on the Throne by the general Consent of the People, and the Publick Authority of the Nation, only wait a fit opportunity to say, We will not have them to reign over us. The Case is plain and obvious, that men who refuse to pray for a King, will oppose the Established Constitution, and rise in the Face of Authority, as soon as ever probable Circumstances occur for encouraging them to such an attempt. I remember when under the late Reigns, some ignorant People refused to acknowledge the late Kings Authority, or to say, *God bless them*; those poor Creatures suffered, who otherwise might have saved their Lives: I wish those, who took pleasure, and insulted over these weak Creatures, may now read their sin in their punishment, and from thence learn not to despise Dominions.

Alas! is it so hard and intricate a Case, whether we should pray for King *William*, who has been, under God, the chief Instrument of our Safety; who has secured our Religion and Liberties, which were so near to Destruction; or for King *James*, who was overturning our Laws, Religion and Liberties? If we refuse to accept of the deliverance God has sent us; for all we had to do, was to *stand still, and see the salvation of God*. If, I say, we will not hearken to the Calls of Providence, and submit to the present Establishment, which has been wonderfully carried on; and more of the Counsel of Heaven, than of Humane Conduct appearing in the whole Affair; we may thank our selves, *if God laugh at our calamity, and mock when our fears approach.*

I have now done with the *Proceedings of the Estates*, having endeavoured to vindicate these from what I apprehend might be objected: But because the Malice and Discontents of People against the present Settlement seem to increase, I shall add some few Reasons, why all good *Protestants* in

Scotland

Scotland ought to ſtand by, and joyn with King *William* againſt the Attempts of the late King and his Adherents, the cruel *French* and barbarous *Iriſh*.

I doubt not, but the Reaſons propoſed already, will prevail with ſome; I wiſh I could ſay, with all, to change their byaſſed Judgments concerning their Obligations to King *James*: yet to enforce this a little more, and that no honeſt man be frighted from his Duty, in acknowledging King *William*'s Authority, by ſome ſcandalous Pamphlets ſcattered through the Kingdom, I ſhall further appeal to every man's Reaſon to determine the preſent Caſe.

One would think the imminent danger we were in of Popery and Slavery, the one as dangerous to our future happineſs, as the other to our preſent; and the miraculous deliverance wrought for us (under God) by ſo generous a Prince, ſhould intirely tye us to his Service: But alas! we are like the murmuring *Iſraelites*, whoſe Obſtinacy and Diſcontents were almoſt as great a Miracle as their Deliverance; and if we periſh and ſink under that Ruine we have ſo eagerly courted, and poſſeſs not that Peace and Tranquility purchaſed to us by ſo Divine a Deliverance, we muſt be forced to ſay, *Our Ruine and Deſtruction is the Fruit of our own Choice.*

That Popery and Slavery were coming in a pace, were not the needleſs Fears, and groundleſs Jealouſies of a diſcontented Faction: Things were not acted in the dark, but in the Face of the Sun: The whole Body of the Nation were once ſenſible enough, how near we were to Deſtruction; and that we were as *Firebrands pluckt out of the Fire*: That the Preſſures and Miſeries we lay under, were but the Forerunners of our greater Sorrow; the meeting of a packt Parliament (which only a Miracle prevented) would quickly have opened a Door to all the Cruelties and Barbarities that armed Force could practiſe. Now this being the Condition we were Plated in, during the Reign of the late King, one would think it were no very intricate nor difficult Caſe to reſolve, whether we ſhould joyn with the late King, who was beginning to deſtroy our Religion and Liberties, or with King *William*, who has freed us from thoſe Preſſures we lay under? Are we like Children, who are no ſooner out of danger than they forget it, and their Deliverer too? Or, like Slaves, are we in love of our Fetters and Chains? Is it the Character of a good *Proteſtant* to be fond of Popery and Slavery? Had not thoſe men who now plead for joyning with the late King, Eyes in their Heads as well as other men? and did they not groan under the Preſſures of an Arbitrary Power? How they come ſo ſuddenly to change their Thoughts, and to doubt that danger they once ſo much dreaded, is, and will be matter of juſt admiration to

But beſides the greatneſs of the deliverance, which we ought to acknowledge by the deareſt Expreſſions of Gratitude and Kindneſs, we ſhould farther conſider the Riſques and Dangers his preſent Majeſty expoſed himſelf in working this deliverance, and the great loſs he muſt have ſuſtained, if he had been defeated either by Land or Sea. Did he put his Life in *Jeopardy* to relieve us from our Oppreſſion, and was at ſo vaſt Expence in providing for our Safety, and the *Proteſtant Intereſt*? Did he lay

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all at stake for us, and should not this engage us to combine closely in his defence? Common Gratitude would plead for this; *Publicans* and *Sinners* love their Benefactors: But that which yet should further oblige us, is, That in the time of our great Extremity, when we were not able to free our selves, but inevitable Ruine looked us in the Face, he not only exposed himself, but engaged the cautious Estates of the *United Provinces*, to set about so great an Undertaking: And is this all the Gratitude we show to our Benefactors, who so cordially and generously contributed for our relief, to joyn with their Enemies, and to do our utmost to ruine them?

I must moreover add, That if God hath an Over-ruling Providence in the Government of the World, in setting up one, and pulling down another; there are so many wonderful and miraculous Occurrences in the whole Conduct of this Affair, that we may not unwarrantably from thence draw a New Argument to enforce our Obedience and Allegiance to the present King: For though I am none of those who rashly judge the goodness or badness of an Attempt, by the Success; or conclude God's Love or Hatred from a frowning or favourable Providence, which is not the Rule of our Duty; yet sometimes we may so plainly and remarkably see Almighty Power concerned, and such wonderful Characters of a Divine Hand in managing and carrying on some Affairs that men may warrantably conclude, *This is the doing of the Lord*, or with the *Non-pluss Magicians*, say, *This is the finger of God*. Let us not then joyn with the Enemies of our Deliverer, lest we be found fighting against God; Popery must down, and who knows but His Majesty is raised up to be the Instrument of carrying on so glorious a work, which likewise by some wonderful Predictions he seems to give us intimation of.

Yet that which most loudly calls for our Allegiance to his present Majesty, is the *Protestant Interest* at home and abroad: For let any man of common Sense tell me, if there be the least probability of securing the *Protestant Interest* if King *James* should prove successful: For if he was so active and violent in bringing in *Popery*, when lately in Power, what might we expect, if a conquering Army did again set him on the Throne? We might then see *Popery* walking bare-faced through *Britain*, and poor *Protestants* exposed to all the miseries and calamities their enraged and cruel Enemies (instigated by Malice) could invent. It was some ease to the oppressed *Protestants* of *France*, that they had a prospect of Safety upon their escape; but if his present Majesty were ruined, where could we flee for Refuge?

It is strange, to a Miracle, that the Severities and Cruelties exercised on the poor *Protestants* in *Ireland*, should not fright those who pretend to be *Protestants*, to engage in the late King's quarrel with wretched Miscreants, with an *Irish* and *French* Army, to enslave themselves, and ruine that *Religion* they profess; to entail *Popery and Slavery* not only upon themselves, but on their Posterity in the Ages to come, and to fight with the worst of *Men*, of the worst *Religion*, to overthrow the best *Religion* in the World. Except men be blind, they can expect nothing but misery and calamity, and the intire Extirpation of our Religion, and the Subversion of our Liberties, if King *James* with his *French* and *Irish* Army prevail.

I confeſs it does not much ſurpriſe me to hear wicked and profligate wretches of our Communion, who are a ſcandal to that holy Religion they profeſs, breathe out diſcontent; for ſuch ſort of men deſerve no countenance from a Religious Prince; and can make themſelves nothing, unleſs they joyn with King *James*. But that thoſe who ſeem to have ſome regard of the *Proteſtant Intereſt*, ſhould appear for the late King, this appears to be unaccountable; for ſuppoſe King *James* were again ſet upon the Throne, can they expect to be long regarded, if from good *Proteſtants* they turn not bigot *Papiſts*? It is well known what Solemn Promiſes Queen *Mary* of *England* made to the *Suffolk-men*, who Eſtabliſhed her on the Throne; and how perfidiouſly ſhe broke them: Nay, Hiſtory informs us, that no County in *England* ſuffered ſo much as *Suffolk* did, which ſhould lead us to regard the Divine Hand of Providence. But to come nearer: The Reader might have been a Witneſs of the barbarous and inhumane Cruelties of the *French* King to his *Proteſtant* Subjects, who were the chief Inſtruments of ſettling him in the Government: For tho they had not only Promiſes, but many Publick Edicts, eſpecially that comprehenſive one of *Nants* again confirmed; yet no Engagement could tye that cruel Tyrant to his peaceable *Proteſtant* Subjects; but being acted by the Dictates of his Confeſſor, he fully verified that known Maxime of theirs, *Faith is not to be kept with Hereticks.* Nay, have we not a freſh Inſtance to clear this, in the late King *James*? What publick Declarations, and private Promiſes did he make, to preſerve our Religion and Liberties, according to the Legal Eſtabliſhment? And were we not Witneſſes of the Encroachments made on both? The Biſhops of *England*, who oppoſed the *Bill of Excluſion*, and the *Monmouth* Attempt, can perhaps give a better Account of King *James*'s Kindneſs; which is but ſmall Encouragement for *Proteſtants* to joyn with him, unleſs they are before-hand reſolved, that their Religion be the ſame with their King's.

If ever King *James* ſhould be again ſet on the Throne, it muſt be by a *Popiſh* Army of barbarous and cruel *Iriſh* and *French*; For however diſcontented *Proteſtants* may a little weaken King *William*'s Intereſt, yet they can never, without Foreign aſſiſtance, hope to be ſucceſsful: and ſo if he be again King, we muſt expect to be treated as a Conquered People, if not worſe: And it is the vaineſt thing in the world, to think he will regard any Propoſals for ſecuring our Religion or Liberties: No, no, he who would not formerly regard the Legal Eſtabliſhment, will now deſtroy it without remedy, and make uſe of all the advantages of a Conqueſt, without asking Liberty of his *Proteſtant* Subjects. It is ſtrange, men ſhould be willfully blind! Are any of the *Proteſtants* in *Ireland*, who went too great a length in advancing King *James*'s Intereſt, permitted to enjoy any publick Place? But to put all this beyond doubt, I ſhall ſet down a remarkable paſſage of an *Iriſh* Lord, to a Miniſter of *Dublin*, from the printed Account we have of that Conference: *'Tis by the force of the Arms* (ſaid that Nobleman) *of his good* Catholicks, *and by aſſiſtance from the Glorious Monarch of* France, *that King* James *deſigns to re-gain his Dominions; and then he comes in free and boundleſs, like an abſolute Conqueror; and ſhall afterwards do what he pleaſes.*

But

But there is no fear (God be thanked) that King *William* wants hearts and hands to defend him from the vain Attempts of his Enemies. There is nothing but our continued ſins that threatens our Ruine, and carries a dreadful appearance of the Divine Diſpleaſure: But tho our preſent Diviſions and Animoſities, gives King *James* a ſignal opportunity to ſucceed in his Deſigns, and to make us miſerable without being pitied, yet it is to be hoped, that God Almighty will perfect that Deliverance, which hitherto has been carried on with ſo remarkable Characters of his favourable Providence. 'Tis true, it were juſt in God to ſuffer us to periſh by our Folly, and to deny us his further aſſiſtance, ſince we have willfully diſpiſed that Deliverance he hath afforded us, and are the only Enemies to our own happineſs.

We might live in great eaſe and quietneſs, under the mild Government of the braveſt and beſt King that ever adorn'd the *Britiſh* Throne, there being nothing wanting on his part that can endear a King to his People. If we will notwithſtanding by our mad Diſcontents, endeavour to reduce the Kingdom to Miſery and Ruine, and entail *Popery* and *Slavery* inevitably upon our Poſterity, we will be the moſt contemptible Nation upon Earth, and a Deriſion to all thoſe that are round about us.

FINIS.

Books lately Printed for Richard Chiſwell.

THE Caſe of Allegiance in our preſent Circumſtances conſidered, in a Letter from a Miniſter in the City, to a Miniſter in the Country. 4°.

A Sermon preached at *Fulham*, in the Chappel of the Palace, upon *Eaſter-day*, 1689. at the Conſecration of the Right Reverend Father in God *Gilbert* Lord Biſhop of *Sarum*: By *Anthony Horneck*, D. D. 4°.

The Judgments of God upon the *Roman Catholick Church*, from its firſt Rigid Laws for Univerſal Conformity to it, unto its laſt End. With a Proſpect of theſe near approaching Revolutions, *viz.* The Revival of the *Proteſtant* Profeſſion in an Eminent Kingdom, where it was totally ſuppreſſed. The laſt End of all *Turkiſh* Hoſtilities. The general Mortification of the Power of the *Roman Church* in all Parts of its Dominions. In Explication of the *Trumpets* and *Vials* of the *Apocalypſe*, upon Principles generally acknowledged by *Proteſtant* Interpreters. By *Drue Creſſener*, D. D.

A Breviate of the State of *Scotland*, in its Government, Supreme Courts, Officers of State, Inferiour Officers, Offices and Inferiour Courts, Diſtricts, Juriſdictions, Burroughs Royal, and Free Corporations. *Fol.*

Some Conſiderations touching Succeſſion and Allegiance. 4°.

A Diſcourſe concerning the Worſhip of Images, Preached before the Univerſity of *Oxford*. By *George Tullie* Sub-Dean of *York*; For which he was procured to be ſuſpended by *Obadiah Walker*.

Reflections upon the late Great Revolution: Written by a Lay-hand in the Country, for the ſatisfaction of ſome Neighbours.

The Hiſtory of the Deſertion; or an Account of all the Publick Affairs in *England*, from the beginning of *September* 1688. to the Twelfth of *February* following. With an Anſwer to a Piece called, *The Deſertion diſcuſſed*, in a Letter to a Country Gentleman. By a Perſon of Quality.

K. *William* and K. *Lewis*, wherein is ſet forth the inevitable neceſſity theſe Nations lie under of ſubmitting wholly to one or other of theſe Kings: And that the matter in Controverſie is not now between K. *William* and K. *James*, but between K. *William* and K. *Lewis* of *France*, for the Government of theſe Nations.

An Examination of the Scruples of thoſe who refuſe to take the Oath of Allegiance, by a Divine of the Church of *England*.

A Dialogue betwixt two Friends, a *Jacobite* and a *Williamite*; occaſion'd by the late Revolution of Affairs, and the Oath of Allegiance.

Two Sermons, one againſt Murmuring, the other againſt Cenſuring. By *Simon Patrick*, D. D.

An Account of the Reaſons which induced *Charles* II. King of *England*, to declare War againſt the States General of the United Provinces in 1672. and of the Private League which he entred into at the ſame time with the *French* King, to carry it on, and to eſtabliſh Popery in *England*, *Scotland*, and *Ireland*; as they are ſet down in the Hiſtory of the *Dutch* War, printed in *French* at *Paris*, with the privilege of the *French* King in 1682. Which Book He cauſed to be immediately ſuppreſſed at the Inſtance of the *Engliſh* Embaſſador. *Fol.*

An Account of the Private League betwixt the late King *James* the Second, and the *French* King. *Fol.*

The Caſe of Oaths ſtated. 4°.

The Anſwer of a Proteſtant Gentleman in *Ireland*, to a late Popiſh Letter of *N. N.* upon a Diſcourſe between them concerning the preſent Poſture of that Countrey, and the Part fit for thoſe concern'd there to act in it. 4°.

An Apology for the Proteſtants in *Ireland*: In a Brief Narrative of the late Revolutions in that Kingdom: And an Account of the Preſent State thereof. By a Gentleman of Quality. 4°.

A Letter from a *French* Lawyer to an *Engliſh* Gentleman upon the Preſent Revolution, 4°.

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